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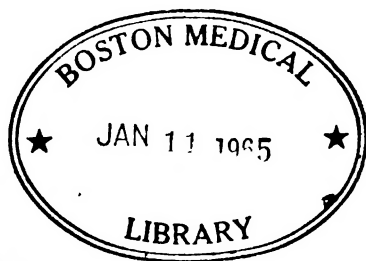
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ACTS
AND
RESOLVES
PASSED BY THE
General Court of Massachusetts,
IN THE YEAR
1896,

TOGETHER WITH
THE CONSTITUTION, THE MESSAGES OF THE GOVERNOR,
LIST OF THE CIVIL GOVERNMENT, TABLES SHOWING
CHANGES IN THE STATUTES, CHANGES OF
NAMES OF PERSONS, ETC., ETC.

PUBLISHED BY THE
SECRETARY OF THE COMMONWEALTH.



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1896.

A CONSTITUTION OR FORM OF GOVERNMENT

FOR THE

Commonwealth of Massachusetts.

PREAMBLE.

The end of the institution, maintenance, and administration of government, is to secure the existence of the body politic, to protect it, and to furnish the individuals who compose it with the power of enjoying in safety and tranquillity their natural rights, and the blessings of life: and whenever these great objects are not obtained, the people have a right to alter the government, and to take measures necessary for their safety, prosperity, and happiness.

Objects of
government.

The body politic is formed by a voluntary association of individuals: it is a social compact, by which the whole people covenants with each citizen, and each citizen with the whole people, that all shall be governed by certain laws for the common good. It is the duty of the people, therefore, in framing a constitution of government, to provide for an equitable mode of making laws, as well as for an impartial interpretation and a faithful execution of them; that every man may, at all times, find his security in them.

Body politic,
how formed,
its nature.

We, therefore, the people of Massachusetts, acknowledging, with grateful hearts, the goodness of the great Legislator of the universe, in affording us, in the course of His providence, an opportunity, deliberately and peaceably, without fraud, violence, or surprise, of entering into

CONSTITUTION OF THE

an original, explicit, and solemn compact with each other; and of forming a new constitution of civil government, for ourselves and posterity; and devoutly imploring His direction in so interesting a design, do agree upon, ordain, and establish, the following *Declaration of Rights, and Frame of Government*, as the CONSTITUTION OF THE COMMONWEALTH OF MASSACHUSETTS.

PART THE FIRST.

A Declaration of the Rights of the Inhabitants of the Commonwealth of Massachusetts.

Equality and natural rights of all men.

ARTICLE I. All men are born free and equal, and have certain natural, essential, and unalienable rights; among which may be reckoned the right of enjoying and defending their lives and liberties; that of acquiring, possessing, and protecting property; in fine, that of seeking and obtaining their safety and happiness.

Right and duty of public religious worship. Protection therein.
2 Cush. 104.
12 Allen, 129.

II. It is the right as well as the duty of all men in society, publicly, and at stated seasons, to worship the SUPREME BEING, the great Creator and Preserver of the universe. And no subject shall be hurt, molested, or restrained, in his person, liberty, or estate, for worshipping God in the manner and season most agreeable to the dictates of his own conscience; or for his religious profession of sentiments; provided he doth not disturb the public peace, or obstruct others in their religious worship.

Amendment, Art. XI. substituted for this.

III. [As the happiness of a people, and the good order and preservation of civil government, essentially depend upon piety, religion, and morality; and as these cannot be generally diffused through a community but by the institution of the public worship of God, and of public instructions in piety, religion, and morality: Therefore, to promote their happiness, and to secure the good order and preservation of their government, the people of this commonwealth have a right to invest their legislature with power to authorize and require, and the legislature shall, from time to time, authorize and require, the several towns, parishes, precincts, and other bodies politic, or religious societies, to make suitable provision, at their own expense, for the institution of the public worship of God, and for the support and maintenance of public Protestant teachers

Legislature empowered to compel provision for public worship;

of piety, religion, and morality, in all cases where such provision shall not be made voluntarily.

And the people of this commonwealth have also a right to, and do, invest their legislature with authority to enjoin upon all the subjects an attendance upon the instructions of the public teachers aforesaid, at stated times and seasons, if there be any on whose instructions they can conscientiously and conveniently attend.

Provided, notwithstanding, that the several towns, parishes, precincts, and other bodies politic, or religious societies, shall, at all times, have the exclusive right of electing their public teachers, and of contracting with them for their support and maintenance.

And all moneys paid by the subject to the support of public worship, and of the public teachers aforesaid, shall, if he require it, be uniformly applied to the support of the public teacher or teachers of his own religious sect or denomination, provided there be any on whose instructions he attends; otherwise it may be paid towards the support of the teacher or teachers of the parish or precinct in which the said moneys are raised.

And every denomination of Christians, demeaning themselves peaceably, and as good subjects of the commonwealth, shall be equally under the protection of the law: and no subordination of any one sect or denomination to another shall ever be established by law.]

IV. The people of this commonwealth have the sole and exclusive right of governing themselves, as a free, sovereign, and independent state; and do, and forever hereafter shall, exercise and enjoy every power, jurisdiction, and right, which is not, or may not hereafter be, by them expressly delegated to the United States of America, in Congress assembled.

V. All power residing originally in the people, and being derived from them, the several magistrates and officers of government, vested with authority, whether legislative, executive, or judicial, are their substitutes and agents, and are at all times accountable to them.

VI. No man, nor corporation, or association of men, have any other title to obtain advantages, or particular and exclusive privileges, distinct from those of the community, than what arises from the consideration of services rendered to the public; and this title being in nature neither hereditary, nor transmissible to children, or descendants, or relations by blood, the idea of a man

and to enjoin attendance thereon.

Exclusive right of electing religious teachers secured.

Option as to whom parochial taxes may be paid, unless, etc.

All denominations equally protected.
8 Met. 162.
Subordination of one sect to another prohibited.

Right of self-government secured.

Accountability of all officers, etc.

Services rendered to the public being the only title to peculiar privileges, hereditary offices are absurd and unnatural.

born a magistrate, lawgiver, or judge, is absurd and unnatural.

Objects of government; right of people to institute and change it.

VII. Government is instituted for the common good; for the protection, safety, prosperity, and happiness of the people; and not for the profit, honor, or private interest of any one man, family, or class of men: Therefore the people alone have an incontestible, unalienable, and infeasible right to institute government; and to reform, alter, or totally change the same, when their protection, safety, prosperity, and happiness require it.

Right of people to secure rotation in office.

VIII. In order to prevent those who are vested with authority from becoming oppressors, the people have a right, at such periods and in such manner as they shall establish by their frame of government, to cause their public officers to return to private life; and to fill up vacant places by certain and regular elections and appointments.

All, having the qualifications prescribed, equally eligible to office. For the definition of "inhabitant," see Ch. I, Sect. 2, Art. II. Right of protection and duty of contribution correlative.

IX. All elections ought to be free; and all the inhabitants of this commonwealth, having such qualifications as they shall establish by their frame of government, have an equal right to elect officers, and to be elected, for public employments.

122 Mass. 595, 596.

Taxation founded on consent.

16 Mass. 326.
1 Pick. 418.
7 Pick. 344.
12 Pick. 184, 467.
16 Pick. 87.
23 Pick. 360.
7 Met. 388.
4 Gray, 474.
7 Gray, 363.
14 Gray, 154.
1 Allen, 160.
4 Allen, 474.

Private property not to be taken for public uses without, etc.

6 Cush. 327.
14 Gray, 155.
16 Gray, 417, 481.

X. Each individual of the society has a right to be protected by it in the enjoyment of his life, liberty, and property, according to standing laws. He is obliged, consequently, to contribute his share to the expense of this protection; to give his personal service, or an equivalent, when necessary: but no part of the property of any individual can, with justice, be taken from him, or applied to public uses, without his own consent, or that of the representative body of the people. In fine, the people of this commonwealth are not controllable by any other laws than those to which their constitutional representative body have given their consent. And whenever the public exigencies require that the property of any individual should be appropriated to public uses, he shall receive a reasonable compensation therefor.

1 Allen, 150.	103 Mass. 120, 624.	113 Mass. 45.	127 Mass. 50, 52.
11 Allen, 530.	106 Mass. 356, 362.	116 Mass. 463.	358, 363, 410, 413.
12 Allen, 223, 230.	108 Mass. 202, 213.	126 Mass. 428, 441.	129 Mass. 550.
100 Mass. 644, 610.	111 Mass. 130.		

Remedies, by recourse to the law, to be free, complete and prompt.

XI. Every subject of the commonwealth ought to find a certain remedy, by having recourse to the laws, for all injuries or wrongs which he may receive in his person, property, or character. He ought to obtain right and justice freely, and without being obliged to purchase it;

completely, and without any denial; promptly, and without delay; conformably to the laws.

XII. No subject shall be held to answer for any crimes or offence, until the same is fully and plainly, substantially, and formally, described to him; or be compelled to accuse, or furnish evidence against himself. And every subject shall have a right to produce all proofs that may be favorable to him; to meet the witnesses against him face to face, and to be fully heard in his defence by himself, or his counsel, at his election. And no subject shall be arrested, imprisoned, despoiled, or deprived of his property, immunities, or privileges, put out of the protection of the law, exiled, or deprived of his life, liberty, or estate, but by the judgment of his peers, or the law of the land.

107 Mass. 172, 180.
108 Mass. 5, 6.

118 Mass. 443, 451.
120 Mass. 118, 120.

122 Mass. 332.
124 Mass. 464.

127 Mass. 550, 554.
129 Mass. 559.

And the legislature shall not make any law that shall subject any person to a capital or infamous punishment, excepting for the government of the army and navy, without trial by jury.

XIII. In criminal prosecutions, the verification of facts, in the vicinity where they happen, is one of the greatest securities of the life, liberty, and property of the citizen.

XIV. Every subject has a right to be secure from all unreasonable searches, and seizures, of his person, his houses, his papers, and all his possessions. All warrants, therefore, are contrary to this right, if the cause or foundation of them be not previously supported by oath or affirmation, and if the order in the warrant to a civil officer, to make search in suspected places, or to arrest one or more suspected persons, or to seize their property, be not accompanied with a special designation of the persons or objects of search, arrest, or seizure: and no warrant ought to be issued but in cases, and with the formalities prescribed by the laws.

XV. In all controversies concerning property, and in all suits between two or more persons, except in cases in which it has heretofore been otherways used and practised, the parties have a right to a trial by jury; and this method of procedure shall be held sacred, unless, in causes arising on the high seas, and such as relate to mariners' wages, the legislature shall hereafter find it necessary to alter it.

114 Mass. 388, 390.
120 Mass. 320, 321.

122 Mass. 505, 518.
123 Mass. 590, 593.

125 Mass. 182, 183.
128 Mass. 600.

Prosecutions regulated.
8 Pick. 211.
10 Pick. 9.
18 Pick. 434.
21 Pick. 542.
2 Met. 329.
12 Cush. 246.
1 Gray, 1.
5 Gray, 160.
8 Gray, 329.
10 Gray, 11.
11 Gray, 438.
2 Allen, 361.
11 Allen, 238-240, 244, 430, 473.
12 Allen, 170.
97 Mass. 570.
100 Mass. 287, 295.
103 Mass. 418.

Right to trial by jury in criminal cases, except, etc.
8 Gray, 329, 373.
103 Mass. 418.

Crimes to be proved in the vicinity.
2 Pick. 550.
121 Mass. 61, 62.

Right of search and seizure regulated.
Const. of U. S., Amend't IV.
2 Met. 329.
5 Cush. 369.
1 Gray, 1.
13 Gray, 454.
10 Allen, 403.
100 Mass. 136, 139.
126 Mass. 269, 273.

Right to trial by jury sacred, except, etc.
Const. of U. S., Amend't VII.
2 Pick. 382.
7 Pick. 366.
5 Gray, 144.
8 Gray, 373.
11 Allen, 574, 577.
102 Mass. 45, 47.

Liberty of the press.

XVI. The liberty of the press is essential to the security of freedom in a state: it ought not, therefore, to be restrained in this commonwealth.

Right to keep and bear arms. Standing armies dangerous. Military power subordinate to civil. 5 Gray, 121.

XVII. The people have a right to keep and to bear arms for the common defence. And as, in time of peace, armies are dangerous to liberty, they ought not to be maintained without the consent of the legislature; and the military power shall always be held in an exact subordination to the civil authority, and be governed by it.

Moral qualifications for office.

XVIII. A frequent recurrence to the fundamental principles of the constitution, and a constant adherence to those of piety, justice, moderation, temperance, industry, and frugality, are absolutely necessary to preserve the advantages of liberty, and to maintain a free government. The people ought, consequently, to have a particular attention to all those principles, in the choice of their officers and representatives: and they have a right to require of their lawgivers and magistrates an exact and constant observance of them, in the formation and execution of the laws necessary for the good administration of the commonwealth.

Moral obligations of lawgivers and magistrates.

Right of people to instruct representatives and petition legislature.

XIX. The people have a right, in an orderly and peaceable manner, to assemble to consult upon the common good; give instructions to their representatives, and to request of the legislative body, by the way of addresses, petitions, or remonstrances, redress of the wrongs done them, and of the grievances they suffer.

Power to suspend the laws or their execution.

XX. The power of suspending the laws, or the execution of the laws, ought never to be exercised but by the legislature, or by authority derived from it, to be exercised in such particular cases only as the legislature shall expressly provide for.

Freedom of debate, etc., and reason thereof.

XXI. The freedom of deliberation, speech, and debate, in either house of the legislature, is so essential to the rights of the people, that it cannot be the foundation of any accusation or prosecution, action or complaint, in any other court or place whatsoever.

Frequent sessions, and objects thereof.

XXII. The legislature ought frequently to assemble for the redress of grievances, for correcting, strengthening, and confirming the laws, and for making new laws, as the common good may require.

Taxation founded on consent. 8 Allen, 247.

XXIII. No subsidy, charge, tax, impost, or duties ought to be established, fixed, laid, or levied, under any pretext whatsoever, without the consent of the people or their representatives in the legislature.

COMMONWEALTH OF MASSACHUSETTS.

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XXIV. Laws made to punish for actions done before the existence of such laws, and which have not been declared crimes by preceding laws, are unjust, oppressive, and inconsistent with the fundamental principles of a free government.

Ex post facto laws prohibited.
12 Allen, 421,
424, 428, 434.

XXV. No subject ought, in any case, or in any time, to be declared guilty of treason or felony by the legislature.

Legislature not to convict of treason, etc.

XXVI. No magistrate or court of law shall demand excessive bail or sureties, impose excessive fines, or indict cruel or unusual punishments.

Excessive bail or fines, and cruel punishments, prohibited.
5 Gray, 482.

XXVII. In time of peace, no soldier ought to be quartered in any house without the consent of the owner; and in time of war, such quarters ought not to be made but by the civil magistrate, in a manner ordained by the legislature.

No soldier to be quartered in any house, unless, etc.

XXVIII. No person can in any case be subject to law-martial, or to any penalties or pains, by virtue of that law, except those employed in the army or navy, and except the militia in actual service, but by authority of the legislature.

Citizens exempt from law-martial, unless, etc.

XXIX. It is essential to the preservation of the rights of every individual, his life, liberty, property, and character, that there be an impartial interpretation of the laws, and administration of justice. It is the right of every citizen to be tried by judges as free, impartial, and independent as the lot of humanity will admit. It is, therefore, not only the best policy, but for the security of the rights of the people, and of every citizen, that the judges of the supreme judicial court should hold their offices as long as they behave themselves well; and that they should have honorable salaries ascertained and established by standing laws.

Judges of supreme judicial court.
3 Pick. 471.
1 Gray, 472.
4 Allen, 591.
7 Allen, 385.
105 Mass. 219,
221, 225.
Tenure of their office.

XXX. In the government of this commonwealth, the legislative department shall never exercise the executive and judicial powers, or either of them: the executive shall never exercise the legislative and judicial powers, or either of them: the judicial shall never exercise the legislative and executive powers, or either of them: to the end it may be a government of laws and not of men.

Salaries.

Separation of executive, judicial, and legislative departments.
2 Cush. 577.
2 Allen, 361.
8 Allen, 247, 253.
100 Mass. 282,
286.
114 Mass. 247,
249.
116 Mass. 317.
129 Mass. 550.

PART THE SECOND.

The Frame of Government.

Title of body
politic.

The people, inhabiting the territory formerly called the Province of Massachusetts Bay, do hereby solemnly and mutually agree with each other, to form themselves into a free, sovereign, and independent body politic, or state, by the name of THE COMMONWEALTH OF MASSACHUSETTS.

CHAPTER I.

THE LEGISLATIVE POWER.

SECTION I.

The General Court.

Legislative
department.

ARTICLE I. The department of legislation shall be formed by two branches, a Senate and House of Representatives; each of which shall have a negative on the other.

For change of
time, etc., see
amendments,
Art. X.

The legislative body shall assemble every year [on the last Wednesday in May, and at such other times as they shall judge necessary; and shall dissolve and be dissolved on the day next preceding the said last Wednesday in May;] and shall be styled, THE GENERAL COURT OF MASSACHUSETTS.

Governor's veto.
99 Mass. 636.

II. No bill or resolve of the senate or house of representatives shall become a law, and have force as such, until it shall have been laid before the governor for his revisal; and if he, upon such revision, approve thereof, he shall signify his approbation by signing the same. But if he have any objection to the passing of such bill or resolve, he shall return the same, together with his objections thereto, in writing, to the senate or house of representatives, in whichever the same shall have originated; who shall enter the objections sent down by the governor, at large, on their records, and proceed to reconsider the said bill or resolve. But if after such reconsideration, two-thirds of the said senate or house of representatives, shall, notwithstanding the said objections, agree to pass the same, it shall, together with the objections, be sent to the other branch of the legislature, where it shall also be reconsidered, and if approved by two-thirds of the members present, shall have the force of a law: but in all such cases,

Bill may be
passed by two-
thirds of each
house, notwith-
standing.

the votes of both houses shall be determined by yeas and nays ; and the names of the persons voting for, or against, the said bill or resolve, shall be entered upon the public records of the commonwealth.

And in order to prevent unnecessary delays, if any bill or resolve shall not be returned by the governor within five days after it shall have been presented, the same shall have the force of a law.

III. The general court shall forever have full power and authority to erect and constitute judicatories and courts of record, or other courts, to be held in the name of the commonwealth, for the hearing, trying, and determining of all manner of crimes, offences, pleas, processes, complaints, actions, matters, causes, and things, whatsoever, arising or happening within the commonwealth, or between or concerning persons inhabiting, or residing, or brought within the same : whether the same be criminal or civil, or whether the said crimes be capital or not capital, and whether the said pleas be real, personal, or mixed ; and for the awarding and making out of execution thereupon. To which courts and judicatories are hereby given and granted full power and authority, from time to time, to administer oaths or affirmations, for the better discovery of truth in any matter in controversy or depending before them.

IV. And further, full power and authority are hereby given and granted to the said general court, from time to time to make, ordain, and establish, all manner of wholesome and reasonable orders, laws, statutes, and ordinances, directions and instructions, either with penalties or without ; so as the same be not repugnant or contrary to this constitution, as they shall judge to be for the good and welfare of this commonwealth, and for the government and ordering thereof, and of the subjects of the same, and for the necessary support and defence of the government thereof ; and to name and settle annually, or provide by fixed laws for the naming and settling, all civil officers within the said commonwealth, the election and constitution of whom are not hereafter in this form of government otherwise provided for ; and to set forth the several duties, powers, and limits, of the several civil and military officers of this commonwealth, and the forms of such oaths or affirmations as shall be respectively administered unto them for the execution of their several offices and places, so as the same be not repugnant or contrary to

For exception in case of adjournment of the general court within the five days, see amendments, Art. I. 8 Mass. 567.

General court may constitute judicatories, courts of record, etc.
8 Gray, 1.
12 Gray, 147, 154.

Courts, etc., may administer oaths.

General court may enact laws, etc.

9 Gray, 426.
4 Allen, 473.
12 Allen, 223, 237.
100 Mass. 544, 557.
116 Mass. 467, 470.

may enact laws, etc., not repugnant to the constitution.
6 Allen, 358.

may provide for the election or appointment of officers.
116 Mass. 302.

may prescribe their duties.

may impose
taxes, etc.

12 Mass. 252.
5 Allen, 428.
6 Allen, 558.
8 Allen, 247, 253.
10 Allen, 235.
11 Allen, 268.
12 Allen, 77, 223.
235, 238, 240, 298,
300, 312, 313, 500,
612.
98 Mass. 19.
100 Mass. 285.
101 Mass. 575,
585.
103 Mass. 267.
114 Mass. 388,
391.
116 Mass. 461.
118 Mass. 386,
389.
123 Mass. 493,
495.
127 Mass. 413.

may impose
taxes, etc., to be
disposed of for
defence, protec-
tion, etc.
8 Allen, 247, 256.
Valuation of
estates once in
ten years, at
least, while, etc.
8 Allen, 247.
126 Mass. 547.

this constitution; and to impose and levy proportional and reasonable assessments, rates, and taxes, upon all the inhabitants of, and persons resident, and estates lying, within the said commonwealth; and also to impose and levy reasonable duties and excises upon any produce, goods, wares, merchandise, and commodities, whatsoever, brought into, produced, manufactured, or being within the same; to be issued and disposed of by warrant, under the hand of the governor of this commonwealth for the time being, with the advice and consent of the council, for the public service, in the necessary defence and support of the government of the said commonwealth, and the protection and preservation of the subjects thereof, according to such acts as are or shall be in force within the same.

And while the public charges of government, or any part thereof, shall be assessed on polls and estates, in the manner that has hitherto been practised, in order that such assessments may be made with equality, there shall be a valuation of estates within the commonwealth, taken anew once in every ten years at least, and as much oftener as the general court shall order.

For the authority of the general court to charter cities, see amendments, Art. II.

CHAPTER I.

SECTION II.

Senate.

Senate, number
of, and by whom
elected.
Superseded by
amendments,
Art. XIII.,
which was also
superseded by
amendments,
Art. XXII.

For provision as
to councillors,
see amend-
ments, Art.
XVI.

ARTICLE I. [There shall be annually elected, by the freeholders and other inhabitants of this commonwealth, qualified as in this constitution is provided, forty persons to be councillors and senators for the year ensuing their election; to be chosen by the inhabitants of the districts into which the commonwealth may, from time to time, be divided by the general court for that purpose: and the general court, in assigning the numbers to be elected by the respective districts, shall govern themselves by the proportion of the public taxes paid by the said districts; and timely make known to the inhabitants of the commonwealth the limits of each district, and the number of councillors and senators to be chosen therein; provided, that the number of such districts shall never be less than thir-

teen; and that no district be so large as to entitle the same to choose more than six senators.

And the several counties in this commonwealth shall, until the general court shall determine it necessary to alter the said districts, be districts for the choice of councillors and senators, (except that the counties of Dukes County and Nantucket shall form one district for that purpose) and shall elect the following number for councillors and senators, viz. : — Suffolk, six; Essex, six; Middlesex, five; Hampshire, four; Plymouth, three; Barnstable, one; Bristol, three; York, two; Dukes County and Nantucket, one; Worcester, five; Cumberland, one; Lincoln, one; Berkshire, two.]

Counties to be districts, until, etc.

II. The senate shall be the first branch of the legislature; and the senators shall be chosen in the following manner, viz. : there shall be a meeting on the [first Monday in April,] annually, forever, of the inhabitants of each town in the several counties of this commonwealth; to be called by the selectmen, and warned in due course of law, at least seven days before the [first Monday in April,] for the purpose of electing persons to be senators and councillors; [and at such meetings every male inhabitant of twenty-one years of age and upwards, having a freehold estate within the commonwealth, of the annual income of three pounds, or any estate of the value of sixty pounds, shall have a right to give in his vote for the senators for the district of which he is an inhabitant.] And to remove all doubts concerning the meaning of the word “inhabitant” in this constitution, every person shall be considered as an inhabitant, for the purpose of electing and being elected into any office, or place within this state, in that town, district, or plantation where he dwelleth, or hath his home.

Manner and time of choosing senators and councillors. See amendments, Arts. X. and XV. As to cities, see amendments, Art. II. Provisions as to qualifications of voters, superseded by amendments, Arts. III., XX., XXVIII., XXX., XXXI. and XXXII. Word “inhabitant” defined. See also amendments, Art. XXIII., which was annulled by Art. XXVI. 12 Gray, 21. 122 Mass. 595, 597.

The selectmen of the several towns shall preside at such meetings impartially; and shall receive the votes of all the inhabitants of such towns present and qualified to vote for senators, and shall sort and count them in open town meeting, and in presence of the town clerk, who shall make a fair record, in presence of the selectmen, and in open town meeting, of the name of every person voted for, and of the number of votes against his name: and a fair copy of this record shall be attested by the selectmen and the town clerk, and shall be sealed up, directed to the secretary of the commonwealth for the time being, with a superscription, expressing the purport

Selectmen to preside at town meetings.

Return of votes.

As to cities, see amendments, Art. II.

Time changed to first Wednesday of January. See amendments, Art. X.

Inhabitants of unincorporated plantations, who pay state taxes, may vote.

Plantation meetings. Time of election changed by amendments, Art. XV. Assessors to notify, etc.

Governor and council to examine and count votes, and issue summonses. Time changed to first Wednesday in January by amendments, Art. X. Majority changed to plurality by amendments, Art. XIV.

Senate to be final judge of elections, etc., of its own members.

of the contents thereof, and delivered by the town clerk of such towns, to the sheriff of the county in which such town lies, thirty days at least before [the last Wednesday in May] annually; or it shall be delivered into the secretary's office seventeen days at least before the said [last Wednesday in May:] and the sheriff of each county shall deliver all such certificates by him received, into the secretary's office, seventeen days before the said [last Wednesday in May.]

And the inhabitants of plantations unincorporated, qualified as this constitution provides, who are or shall be empowered and required to assess taxes upon themselves toward the support of government, shall have the same privilege of voting for councillors and senators in the plantations where they reside, as town inhabitants have in their respective towns; and the plantation meetings for that purpose shall be held annually [on the same first Monday in April], at such place in the plantations, respectively, as the assessors thereof shall direct; which assessors shall have like authority for notifying the electors, collecting and returning the votes, as the selectmen and town clerks have in their several towns, by this constitution. And all other persons living in places unincorporated (qualified as aforesaid) who shall be assessed to the support of government by the assessors of an adjacent town, shall have the privilege of giving in their votes for councillors and senators in the town where they shall be assessed, and be notified of the place of meeting by the selectmen of the town where they shall be assessed, for that purpose, accordingly.

III. And that there may be a due convention of senators on the [last Wednesday in May] annually, the governor with five of the council, for the time being, shall, as soon as may be, examine the returned copies of such records; and fourteen days before the said day he shall issue his summons to such persons as shall appear to be chosen by [a majority of] voters, to attend on that day, and take their seats accordingly: provided, nevertheless, that for the first year the said returned copies shall be examined by the president and five of the council of the former constitution of government; and the said president shall, in like manner, issue his summons to the persons so elected, that they may take their seats as aforesaid.

IV. The senate shall be the final judge of the elections, returns and qualifications of their own members, as

pointed out in the constitution; and shall, [on the said last Wednesday in May] annually, determine and declare who are elected by each district to be senators [by a majority of votes; and in case there shall not appear to be the full number of senators returned elected by a majority of votes for any district, the deficiency shall be supplied in the following manner, viz.: The members of the house of representatives, and such senators as shall be declared elected, shall take the names of such persons as shall be found to have the highest number of votes in such district, and not elected, amounting to twice the number of senators wanting, if there be so many voted for; and out of these shall elect by ballot a number of senators sufficient to fill up the vacancies in such district; and in this manner all such vacancies shall be filled up in every district of the commonwealth; and in like manner all vacancies in the senate, arising by death, removal out of the state, or otherwise, shall be supplied as soon as may be, after such vacancies shall happen.]

Time changed to first Wednesday of January by amendments, Art. X. Majority changed to plurality by amendments, Art. XIV.

Vacancies, how filled. Changed to election by people. See amendments, Art. XXIV.

V. Provided, nevertheless, that no person shall be capable of being elected as a senator, [who is not seised in his own right of a freehold, within this commonwealth, of the value of three hundred pounds at least, or possessed of personal estate to the value of six hundred pounds at least, or of both to the amount of the same sum, and] who has not been an inhabitant of this commonwealth for the space of five years immediately preceding his election, and, at the time of his election, he shall be an inhabitant in the district for which he shall be chosen.

Qualifications of a senator. Property qualification abolished. See amendments, Art. XIII. For further provision as to residence, see also amendments, Art. XXII.

VI. The senate shall have power to adjourn themselves, provided such adjournments do not exceed two days at a time.

Senate not to adjourn more than two days.

VII. The senate shall choose its own president, appoint its own officers, and determine its own rules of proceedings.

shall choose its officers and establish its rules.

VIII. The senate shall be a court with full authority to hear and determine all impeachments made by the house of representatives, against any officer or officers of the commonwealth, for misconduct and mal-administration in their offices. But previous to the trial of every impeachment the members of the senate shall respectively be sworn, truly and impartially to try and determine the charge in question, according to evidence. Their judgment, however, shall not extend further than to removal from office and disqualification to hold or enjoy any place

shall try all impeachments.

Oath.

Limitation of sentence.

of honor, trust, or profit, under this commonwealth; but the party so convicted shall be, nevertheless, liable to indictment, trial, judgment, and punishment, according to the laws of the land.

Quorum.
See amend-
ments, Arts.
XXII. and
XXXIII.

IX. [Not less than sixteen members of the senate shall constitute a quorum for doing business.]

CHAPTER I.

SECTION III.

House of Representatives.

Representation
of the people.

ARTICLE I. There shall be, in the legislature of this commonwealth, a representation of the people, annually elected, and founded upon the principle of equality.

Representa-
tives, by whom
chosen.
Superseded by
amendments,
Arts. XII. and
XIII., which
were also
superseded by
amendments,
Art. XXI.
7 Mass. 523.

II. [And in order to provide for a representation of the citizens of this commonwealth, founded upon the principle of equality, every corporate town containing one hundred and fifty ratable polls may elect one representative; every corporate town containing three hundred and seventy-five ratable polls may elect two representatives; every corporate town containing six hundred ratable polls may elect three representatives; and proceeding in that manner, making two hundred and twenty-five ratable polls the mean increasing number for every additional representative.]

Proviso as to
towns having
less than 150
ratable polls.

Provided, nevertheless, that each town now incorporated, not having one hundred and fifty ratable polls, may elect one representative; but no place shall hereafter be incorporated with the privilege of electing a representative, unless there are within the same one hundred and fifty ratable polls.]

Towns liable to
fine in case, etc.

And the house of representatives shall have power from time to time to impose fines upon such towns as shall neglect to choose and return members to the same, agreeably to this constitution.

Expenses of
travelling to
and from the
general court,
how paid.
Annulled by
Art. XXXV.

[The expenses of travelling to the general assembly, and returning home, once in every session, and no more, shall be paid by the government, out of the public treasury, to every member who shall attend as seasonably as he can, in the judgment of the house, and does not depart without leave.]

Qualifications of
a representa-
tive.

III. Every member of the house of representatives shall be chosen by written votes; [and, for one year at

least next preceding his election, shall have been an inhabitant of, and have been seised in his own right of a freehold of the value of one hundred pounds within the town he shall be chosen to represent, or any ratable estate to the value of two hundred pounds; and he shall cease to represent the said town immediately on his ceasing to be qualified as aforesaid.]

IV. [Every male person, being twenty-one years of age, and resident in any particular town in this commonwealth for the space of one year next preceding, having a freehold estate within the said town of the annual income of three pounds, or any estate of the value of sixty pounds, shall have a right to vote in the choice of a representative or representatives for the said town.]

V. [The members of the house of representatives shall be chosen annually in the month of May, ten days at least before the last Wednesday of that month.]

Time of election changed by amendments, Art. X., and changed again by amendments, Art. XV.

VI. The house of representatives shall be the grand inquest of this commonwealth; and all impeachments made by them shall be heard and tried by the senate.

VII. All money bills shall originate in the house of representatives; but the senate may propose or concur with amendments, as on other bills.

VIII. The house of representatives shall have power to adjourn themselves; provided such adjournment shall not exceed two days at a time.

IX. [Not less than sixty members of the house of representatives shall constitute a quorum for doing business.]

X. The house of representatives shall be the judge of the returns, elections, and qualifications of its own members, as pointed out in the constitution; shall choose their own speaker; appoint their own officers, and settle the rules and orders of proceeding in their own house. They shall have authority to punish by imprisonment every person, not a member, who shall be guilty of disrespect to the house, by any disorderly or contemptuous behavior in its presence; or who, in the town where the general court is sitting, and during the time of its sitting, shall threaten harm to the body or estate of any of its members, for any thing said or done in the house; or who shall assault any of them therefor; or who shall assault, or arrest, any witness, or other person, ordered to attend the

New provision as to residence. See amendments, Art. XXI. Property qualifications abolished by amendments, Art. XIII.

Qualifications of a voter. These provisions superseded by amendments, Arts. III., XX., XXVIII., XXX., XXXI. and XXXII. See also amendments, Art. XXIII., which was annulled by Art. XXVI. Representatives, when chosen.

House alone can impeach.

House to originate all money bills.

Not to adjourn more than two days.

Quorum. See amendments, Arts. XXI. and XXXIII.

To judge of returns, etc., of its own members; to choose its officers and establish its rules, etc. May punish for certain offences. 14 Gray, 226.

Privileges of
members.

house, in his way in going or returning; or who shall rescue any person arrested by the order of the house.

And no member of the house of representatives shall be arrested, or held to bail on mean process, during his going unto, returning from, or his attending the general assembly.

Senate.
Governor and
council may
punish.
General limita-
tion.
14 Gray, 226.

XI. The senate shall have the same powers in the like cases; and the governor and council shall have the same authority to punish in like cases: provided, that no imprisonment on the warrant or order of the governor, council, senate, or house of representatives, for either of the above described offences, be for a term exceeding thirty days.

Trial may be by
committee, or
otherwise.

And the senate and house of representatives may try and determine all cases where their rights and privileges are concerned, and which, by the constitution, they have authority to try and determine, by committees of their own members, or in such other way as they may respectively think best.

CHAPTER II.

EXECUTIVE POWER.

SECTION I.

Governor.

Governor.

ARTICLE I. There shall be a supreme executive magistrate, who shall be styled—THE GOVERNOR OF THE COMMONWEALTH OF MASSACHUSETTS; and whose title shall be — HIS EXCELLENCY.

His title.

To be chosen
annually.
Qualifications.
[See amend-
ments, Arts.
VII. and
XXXIV.]

II. The governor shall be chosen annually; and no person shall be eligible to this office, unless, at the time of his election, he shall have been an inhabitant of this commonwealth for seven years next preceding; [and unless he shall at the same time be seised, in his own right, of a freehold, within the commonwealth, of the value of one thousand pounds;] [and unless he shall declare himself to be of the Christian religion.]

By whom cho-
sen, if he have a
majority of
votes.

Time of elec-
tion changed by
amendments,
Art. X., and
changed again
by amendments,
Art. XV.

III. Those persons who shall be qualified to vote for senators and representatives within the several towns of this commonwealth shall, at a meeting to be called for that purpose, on the [first Monday of April] annually, give in their votes for a governor, to the selectmen, who shall preside at such meetings; and the town clerk, in the presence and with the assistance of the selectmen, shall,

in open town meeting, sort and count the votes, and form a list of the persons voted for, with the number of votes for each person against his name; and shall make a fair record of the same in the town books, and a public declaration thereof in the said meeting; and shall, in the presence of the inhabitants, seal up copies of the said list, attested by him and the selectmen, and transmit the same to the sheriff of the county, thirty days at least before the [last Wednesday in May]; and the sheriff shall transmit the same to the secretary's office, seventeen days at least before the said [last Wednesday in May]; or the selectmen may cause returns of the same to be made to the office of the secretary of the commonwealth, seventeen days at least before the said day; and the secretary shall lay the same before the senate and the house of representatives on the [last Wednesday in May], to be by them examined; and [in case of an election by a majority of all the votes returned], the choice shall be by them declared and published; [but if no person shall have a majority of votes, the house of representatives shall, by ballot, elect two out of four persons who had the highest number of votes, if so many shall have been voted for; but, if otherwise, out of the number voted for; and make return to the senate of the two persons so elected; on which the senate shall proceed, by ballot, to elect one, who shall be declared governor.]

As to cities, see amendments, Art. II.

Time changed to first Wednesday of January by amendments, Art. X.

Changed to plurality by amendments, Art. XIV.
How chosen, when no person has a majority.

IV. The governor shall have authority, from time to time, at his discretion, to assemble and call together the councillors of this commonwealth for the time being; and the governor with the said councillors, or five of them at least, shall, and may, from time to time, hold and keep a council, for the ordering and directing the affairs of the commonwealth, agreeably to the constitution and the laws of the land.

Power of governor, and of governor and council.

V. The governor, with advice of council, shall have full power and authority, during the session of the general court, to adjourn or prorogue the same to any time the two houses shall desire; [and to dissolve the same on the day next preceding the last Wednesday in May; and, in the recess of the said court, to prorogue the same from time to time, not exceeding ninety days in any one recess;] and to call it together sooner than the time to which it may be adjourned or prorogued, if the welfare of the commonwealth shall require the same; and in case of any infectious distemper prevailing in the place where the said

May adjourn or prorogue the general court upon request, and convene the same.
As to dissolution, see amendments, Art. X.

court is next at any time to convene, or any other cause happening, whereby danger may arise to the health or lives of the members from their attendance, he may direct the session to be held at some other, the most convenient place within the state.

As to dissolution, see amendments, Art. X. Governor and council may adjourn the general court in cases, etc., but not exceeding ninety days.

[And the governor shall dissolve the said general court on the day next preceding the last Wednesday in May.]

VI. In cases of disagreement between the two houses, with regard to the necessity, expediency, or time of adjournment or prorogation, the governor, with advice of the council, shall have a right to adjourn or prorogue the general court, not exceeding ninety days, as he shall determine the public good shall require.

Governor to be commander-in-chief.

VII. The governor of this commonwealth, for the time being, shall be the commander-in-chief of the army and navy, and of all the military forces of the state, by sea and land; and shall have full power, by himself, or by any commander, or other officer or officers, from time to time, to train, instruct, exercise, and govern the militia and navy; and, for the special defence and safety of the commonwealth, to assemble in martial array, and put in warlike posture, the inhabitants thereof, and to lead and conduct them, and with them to encounter, repel, resist, expel, and pursue, by force of arms, as well by sea as by land, within or without the limits of this commonwealth, and also to kill, slay, and destroy, if necessary, and conquer, by all fitting ways, enterprises, and means whatsoever, all and every such person and persons as shall, at any time hereafter, in a hostile manner, attempt or enterprize the destruction, invasion, detriment, or annoyance of this commonwealth; and to use and exercise, over the army and navy, and over the militia in actual service, the law-martial, in time of war or invasion, and also in time of rebellion, declared by the legislature to exist, as occasion shall necessarily require; and to take and surprise, by all ways and means whatsoever, all and every such person or persons, with their ships, arms, ammunition, and other goods, as shall, in a hostile manner, invade, or attempt the invading, conquering, or annoying this commonwealth; and that the governor be intrusted with all these and other powers, incident to the offices of captain-general and commander-in-chief, and admiral, to be exercised agreeably to the rules and regulations of the constitution, and the laws of the land, and not otherwise.

Provided, that the said governor shall not, at any time hereafter, by virtue of any power by this constitution granted, or hereafter to be granted to him by the legislature, transport any of the inhabitants of this commonwealth, or oblige them to march out of the limits of the same, without their free and voluntary consent, or the consent of the general court; except so far as may be necessary to march or transport them by land or water, for the defence of such part of the state to which they cannot otherwise conveniently have access.

VIII. The power of pardoning offences, except such as persons may be convicted of before the senate by an impeachment of the house, shall be in the governor, by and with the advice of council; but no charter of pardon, granted by the governor, with advice of the council before conviction, shall avail the party pleading the same, notwithstanding any general or particular expressions contained therein, descriptive of the offence or offences intended to be pardoned.

IX. All judicial officers, [the attorney-general,] the solicitor-general, [all sheriffs,] coroners, [and registers of probate,] shall be nominated and appointed by the governor, by and with the advice and consent of the council; and every such nomination shall be made by the governor, and made at least seven days prior to such appointment.

For provision as to election of sheriffs, registers of probate, etc., see amendments, Art. XIX. For provision as to appointment of notaries public, see amendments, Art. IV.

X. The captains and subalterns of the militia shall be elected by the written votes of the train-band and alarm list of their respective companies, [of twenty-one years of age and upwards;] the field officers of regiments shall be elected by the written votes of the captains and subalterns of their respective regiments; the brigadiers shall be elected, in like manner, by the field officers of their respective brigades; and such officers, so elected, shall be commissioned by the governor, who shall determine their rank.

The legislature shall, by standing laws, direct the time and manner of convening the electors, and of collecting votes, and of certifying to the governor, the officers elected.

The major-generals shall be appointed by the senate and house of representatives, each having a negative upon the other; and be commissioned by the governor.

For provisions as to appointment of a commissary-general, see amendments, Art. IV.

And if the electors of brigadiers, field officers, captains or subalterns, shall neglect or refuse to make such elec-

Limitation.

Governor and council may pardon offences, except, etc.

But not before conviction.
109 Mass. 323.

Judicial officers, etc., how nominated and appointed.
For provisions as to election of attorney-general, see amendments, Art. XVII.

Militia officers, how elected
Limitation of age struck out by amendments, Art. V.

How commissioned.

Election of officers.

Major-generals, how appointed and commissioned.

Vacancies, how filled, in case, etc.

tions, after being duly notified, according to the laws for the time being, then the governor, with advice of council, shall appoint suitable persons to fill such offices.

Officers duly commissioned, how removed. Superseded by amendments, Art. IV.

[And no officer, duly commissioned to command in the militia, shall be removed from his office, but by the address of both houses to the governor, or by fair trial in court-martial, pursuant to the laws of the commonwealth for the time being.]

Adjutants, etc., how appointed.

The commanding officers of regiments shall appoint their adjutants and quartermasters; the brigadiers their brigade-majors; and the major-generals their aids; and the governor shall appoint the adjutant-general.

Army officers, how appointed.

The governor, with advice of council, shall appoint all officers of the continental army, whom by the confederation of the United States it is provided that this commonwealth shall appoint, as also all officers of forts and garrisons.

Organization of militia.

The divisions of the militia into brigades, regiments, and companies, made in pursuance of the militia laws now in force, shall be considered as the proper divisions of the militia of this commonwealth, until the same shall be altered in pursuance of some future law.

Money, how drawn from the treasury, except, etc. 13 Allen, 593.

XI. No moneys shall be issued out of the treasury of this commonwealth, and disposed of (except such sums as may be appropriated for the redemption of bills of credit or treasurer's notes, or for the payment of interest arising thereon) but by warrant under the hand of the governor for the time being, with the advice and consent of the council, for the necessary defence and support of the commonwealth; and for the protection and preservation of the inhabitants thereof, agreeably to the acts and resolves of the general court.

All public boards, etc., to make quarterly returns.

XII. All public boards, the commissary-general, all superintending officers of public magazines and stores, belonging to this commonwealth, and all commanding officers of forts and garrisons within the same, shall once in every three months, officially, and without requisition, and at other times, when required by the governor, deliver to him an account of all goods, stores, provisions, ammunition, cannon with their appendages, and small arms with their accoutrements, and of all other public property whatever under their care respectively; distinguishing the quantity, number, quality and kind of each, as particularly as may be; together with the condition of such forts and garrisons; and the said commanding officer shall ex-

hibit to the governor, when required by him, true and exact plans of such forts, and of the land and sea or harbor or harbors, adjacent.

And the said boards, and all public officers, shall communicate to the governor, as soon as may be after receiving the same, all letters, despatches, and intelligences of a public nature, which shall be directed to them respectively.

XIII. As the public good requires that the governor should not be under the undue influence of any of the members of the general court by a dependence on them for his support, that he should in all cases act with freedom for the benefit of the public, that he should not have his attention necessarily diverted from that object to his private concerns, and that he should maintain the dignity of the commonwealth in the character of its chief magistrate, it is necessary that he should have an honorable stated salary, of a fixed and permanent value, amply sufficient for those purposes, and established by standing laws: and it shall be among the first acts of the general court, after the commencement of this constitution, to establish such salary by law accordingly.

Salary of governor.

Permanent and honorable salaries shall also be established by law for the justices of the supreme judicial court.

Salaries of justices of supreme judicial court.

And if it shall be found that any of the salaries aforesaid, so established, are insufficient, they shall, from time to time, be enlarged, as the general court shall judge proper.

Salaries to be enlarged if insufficient.

CHAPTER II.

SECTION II.

Lieutenant-Governor.

ARTICLE I. There shall be annually elected a lieutenant-governor of the commonwealth of Massachusetts, whose title shall be—His HONOR; and who shall be qualified, in point of [religion,][property,]and residence in the commonwealth, in the same manner with the governor; and the day and manner of his election, and the qualifications of the electors, shall be the same as are required in the election of a governor. The return of the votes for this officer, and the declaration of his election, shall be in the same manner; [and if no one person shall be found to have a majority of all the votes returned, the vacancy shall be filled by the senate and house of repre-

Lieutenant-governor; his title and qualifications. See amendments, Arts. VII. and XXXIV.

How chosen. Election by plurality pro-

vided for by
amendments,
Art. XIV.

President of
council.
Lieutenant-
governor a
member of,
except, etc.

Lieutenant-
governor to be
acting governor,
in case, etc.

sentatives, in the same manner as the governor is to be elected, in case no one person shall have a majority of the votes of the people to be governor.]

II. The governor, and in his absence the lieutenant-governor, shall be president of the council, but shall have no vote in council; and the lieutenant-governor shall always be a member of the council, except when the chair of the governor shall be vacant.

III. Whenever the chair of the governor shall be vacant, by reason of his death, or absence from the commonwealth, or otherwise, the lieutenant-governor, for the time being, shall, during such vacancy, perform all the duties incumbent upon the governor, and shall have and exercise all the powers and authorities, which by this constitution the governor is vested with, when personally present.

CHAPTER II.

SECTION III.

Council, and the Manner of settling Elections by the Legislature.

Council.
Number of
councillors
changed to
eight.
See amend-
ments, Art.
XVI.

ARTICLE I. There shall be a council for advising the governor in the executive part of the government, to consist of [nine] persons besides the lieutenant-governor, whom the governor, for the time being, shall have full power and authority, from time to time, at his discretion, to assemble and call together; and the governor, with the said councillors, or five of them at least, shall and may, from time to time, hold and keep a council, for the ordering and directing the affairs of the commonwealth, according to the laws of the land.

Number; from
whom, and how
chosen.
Modified by
amendments,
Arts. X and
XIII.
Superseded by
amendments,
Art. XVI.

II. [Nine councillors shall be annually chosen from among the persons returned for councillors and senators, on the last Wednesday in May, by the joint ballot of the senators and representatives assembled in one room; and in case there shall not be found upon the first choice, the whole number of nine persons who will accept a seat in the council, the deficiency shall be made up by the electors aforesaid from among the people at large; and the number of senators left shall constitute the senate for the year. The seats of the persons thus elected from the senate, and accepting the trust, shall be vacated in the senate.]

If senators be-
come coun-
cillors, their seats
to be vacated.

III. The councillors, in the civil arrangements of the commonwealth, shall have rank next after the lieutenant-governor.

Rank of
councillors.

IV. [Not more than two councillors shall be chosen out of any one district of this commonwealth.]

No district to
have more than
two.

Superseded by amendments, Art. XVI.

V. The resolutions and advice of the council shall be recorded in a register, and signed by the members present; and this record may be called for at any time by either house of the legislature; and any member of the council may insert his opinion, contrary to the resolution of the majority.

Register of
council.

VI. Whenever the office of the governor and lieutenant-governor shall be vacant, by reason of death, absence, or otherwise, then the council, or the major part of them, shall, during such vacancy, have full power and authority to do, and execute, all and every such acts, matters, and things, as the governor or the lieutenant-governor might or could, by virtue of this constitution, do or execute, if they, or either of them, were personally present.

Council to exer-
cise the power
of governor in
case, etc.

VII. [And whereas the elections appointed to be made, by this constitution, on the last Wednesday in May annually, by the two houses of the legislature, may not be completed on that day, the said elections may be adjourned from day to day until the same shall be completed. And the order of elections shall be as follows: the vacancies in the senate, if any, shall first be filled up; the governor and lieutenant-governor shall then be elected, provided there should be no choice of them by the people; and afterwards the two houses shall proceed to the election of the council.]

Elections may
be adjourned
until, etc.

Order thereof.
Superseded by
amendments,
Arts. XVI. and
XXV.

CHAPTER II.

SECTION IV.

Secretary, Treasurer, Commissary, etc.

ARTICLE I. [The secretary, treasurer and receiver-general, and the commissary-general, notaries public, and] naval officers, shall be chosen annually, by joint ballot of the senators and representatives in one room. And, that the citizens of this commonwealth may be assured, from time to time, that the moneys remaining in the public treasury, upon the settlement and liquidation of the public accounts, are their property, no man shall be eligible

Secretary, etc.,
by whom and
how chosen.
For provision as
to election of
secretary, treas-
urer, and re-
ceiver-general,
and auditor and
attorney-gen-
eral, see amend-
ments, Art.
XVII.

Treasurer ineligible for more than five successive years.

as treasurer and receiver-general more than five years successively.

For provision as to appointment of notaries public and the commissary-general, see amendments, Art. IV.

Secretary to keep records; to attend the governor and council, etc.

II. The records of the commonwealth shall be kept in the office of the secretary, who may appoint his deputies, for whose conduct he shall be accountable; and he shall attend the governor and council, the senate and house of representatives, in person, or by his deputies, as they shall respectively require.

CHAPTER III.

JUDICIARY POWER.

Tenure of all commissioned officers to be expressed. Judicial officers to hold office during good behavior, except, etc. But may be removed on address.

ARTICLE I. The tenure, that all commission officers shall by law have in their offices, shall be expressed in their respective commissions. All judicial officers, duly appointed, commissioned, and sworn, shall hold their offices during good behavior, excepting such concerning whom there is different provision made in this constitution: provided, nevertheless, the governor, with consent of the council, may remove them upon the address of both houses of the legislature.

Justices of supreme judicial court to give opinions when required. 122 Mass. 600. 126 Mass. 557, 561.

II. Each branch of the legislature, as well as the governor and council, shall have authority to require the opinions of the justices of the supreme judicial court, upon important questions of law, and upon solemn occasions.

Justices of the peace; tenure of their office. 3 Cush. 534.

III. In order that the people may not suffer from the long continuance in place of any justice of the peace who shall fail of discharging the important duties of his office with ability or fidelity, all commissions of justices of the peace shall expire and become void, in the term of seven years from their respective dates; and, upon the expiration of any commission, the same may, if necessary, be renewed, or another person appointed, as shall most conduce to the well-being of the commonwealth.

Provisions for holding probate courts. 12 Gray, 147.

IV. The judges of probate of wills, and for granting letters of administration, shall hold their courts at such place or places, on fixed days, as the convenience of the people shall require; and the legislature shall, from time to time, hereafter, appoint such times and places; until which appointments, the said courts shall be holden at the times and places which the respective judges shall direct.

V. All causes of marriage, divorce, and alimony, and all appeals from the judges of probate, shall be heard and determined by the governor and council, until the legislature shall, by law, make other provision.

Marriage, divorce, and alimony. Other provisions made by law. 106 Mass. 827. 116 Mass. 317.

CHAPTER IV.

DELEGATES TO CONGRESS.

[The delegates of this commonwealth to the congress of the United States, shall, some time in the month of June, annually, be elected by the joint ballot of the senate and house of representatives, assembled together in one room ; to serve in congress for one year, to commence on the first Monday in November then next ensuing. They shall have commissions under the hand of the governor, and the great seal of the commonwealth ; but may be recalled at any time within the year, and others chosen and commissioned, in the same manner, in their stead.]

Delegates to congress.

CHAPTER V.

THE UNIVERSITY AT CAMBRIDGE AND ENCOURAGEMENT OF LITERATURE, ETC.

SECTION I.

The University.

ARTICLE I. Whereas our wise and pious ancestors, so early as the year one thousand six hundred and thirty-six, laid the foundation of Harvard College, in which university many persons of great eminence have, by the blessing of GOD, been initiated in those arts and sciences which qualified them for public employments, both in church and state ; and whereas the encouragement of arts and sciences, and all good literature, tends to the honor of GOD, the advantage of the Christian religion, and the great benefit of this and the other United States of America, — it is declared, that the PRESIDENT AND FELLOWS OF HARVARD COLLEGE, in their corporate capacity, and their successors in that capacity, their officers and servants, shall have, hold, use, exercise, and enjoy, all the powers, authorities, rights, liberties, privileges, immunities, and franchises, which they now have, or are entitled to

Harvard College.

Powers, privileges, etc., of the president and fellows, confirmed.

CONSTITUTION OF THE

have, hold, use, exercise, and enjoy; and the same are hereby ratified and confirmed unto them, the said president and fellows of Harvard College, and to their successors, and to their officers and servants, respectively, forever.

All gifts, grants,
etc., confirmed.

II. And whereas there have been at sundry times, by divers persons, gifts, grants, devises of houses, lands, tenements, goods, chattels, legacies, and conveyances, heretofore made, either to Harvard College in Cambridge, in New England, or to the president and fellows of Harvard College, or to the said college by some other description, under several charters, successively; it is declared, that all the said gifts, grants, devises, legacies, and conveyances, are hereby forever confirmed unto the president and fellows of Harvard College, and to their successors in the capacity aforesaid, according to the true intent and meaning of the donor or donors, grantor or grantors, devisor or devisors.

Who shall be
overseers.

See Statutes,
1851, 224.
1852, 27.
1859, 212.
1865, 173.
1880, 65.

Power of altera-
tion reserved to
the legislature.

III. And whereas, by an act of the general court of the colony of Massachusetts Bay, passed in the year one thousand six hundred and forty-two, the governor and deputy-governor, for the time being, and all the magistrates of that jurisdiction, were, with the president, and a number of the clergy in the said act described, constituted the overseers of Harvard College; and it being necessary, in this new constitution of government to ascertain who shall be deemed successors to the said governor, deputy-governor, and magistrates; it is declared, that the governor, lieutenant-governor, council, and senate of this commonwealth, are, and shall be deemed, their successors, who, with the president of Harvard College, for the time being, together with the ministers of the congregational churches in the towns of Cambridge, Watertown, Charlestown, Boston, Roxbury, and Dorchester, mentioned in the said act, shall be, and hereby are, vested with all the powers and authority belonging, or in any way appertaining to the overseers of Harvard College; provided, that nothing herein shall be construed to prevent the legislature of this commonwealth from making such alterations in the government of the said university, as shall be conducive to its advantage, and the interest of the republic of letters, in as full a manner as might have been done by the legislature of the late Province of the Massachusetts Bay.

CHAPTER V.

SECTION II.

The Encouragement of Literature, etc.

Wisdom and knowledge, as well as virtue, diffused generally among the body of the people, being necessary for the preservation of their rights and liberties; and as these depend on spreading the opportunities and advantages of education in the various parts of the country, and among the different orders of the people, it shall be the duty of legislatures and magistrates, in all future periods of this commonwealth, to cherish the interests of literature and the sciences, and all seminaries of them; especially the university at Cambridge, public schools and grammar schools in the towns; to encourage private societies and public institutions, rewards and immunities, for the promotion of agriculture, arts, sciences, commerce, trades, manufactures, and a natural history of the country; to countenance and inculcate the principles of humanity and general benevolence, public and private charity, industry and frugality, honesty and punctuality in their dealings; sincerity, good humor, and all social affections, and generous sentiments, among the people.

Duty of legislatures and magistrates in all future periods. For further provisions as to public schools, see amendments, Art. XVIII. 12 Allen, 500-508. 103 Mass. 94, 97.

CHAPTER VI.

OATHS AND SUBSCRIPTIONS; INCOMPATIBILITY OF AND EXCLUSION FROM OFFICES; PECUNIARY QUALIFICATIONS; COMMISSIONS; WRITS; CONFIRMATION OF LAWS; HABEAS CORPUS; THE ENACTING STYLE; CONTINUANCE OF OFFICERS; PROVISION FOR A FUTURE REVISAL OF THE CONSTITUTION, ETC.

ARTICLE I. [Any person chosen governor, lieutenant-governor, councillor, senator, or representative, and accepting the trust, shall, before he proceed to execute the duties of his place or office, make and subscribe the following declaration, viz. :

Oaths, etc.

“I, A. B., do declare, that I believe the Christian religion, and have a firm persuasion of its truth; and that I am seised and possessed, in my own right, of the property required by the constitution, as one qualification for the office or place to which I am elected.”

Abolished. See amendments, Art. VII.

And the governor, lieutenant-governor, and councillors, shall make and subscribe the said declaration, in the pres-

ence of the two houses of assembly ; and the senators and representatives, first elected under this constitution, before the president and five of the council of the former constitution ; and forever afterwards before the governor and council for the time being.]

Declaration and oaths of all officers.

And every person chosen to either of the places or offices aforesaid, as also any person appointed or commissioned to any judicial, executive, military, or other office under the government, shall, before he enters on the discharge of the business of his place or office, take and subscribe the following declaration, and oaths or affirmations, viz. :

For new oath of allegiance, see amendments, Art. VI.

[“ I, A. B., do truly and sincerely acknowledge, profess, testify, and declare, that the Commonwealth of Massachusetts is, and of right ought to be, a free, sovereign, and independent state ; and I do swear, that I will bear true faith and allegiance to the said commonwealth, and that I will defend the same against traitorous conspiracies and all hostile attempts whatsoever ; and that I do renounce and abjure all allegiance, subjection, and obedience to the king, queen, or government of Great Britain (as the case may be), and every other foreign power whatsoever ; and that no foreign prince, person, prelate, state, or potentate, hath, or ought to have, any jurisdiction, superiority, pre-eminence, authority, dispensing or other power, in any matter, civil, ecclesiastical, or spiritual, within this commonwealth, except the authority and power which is or may be vested by their constituents in the congress of the United States : and I do further testify and declare, that no man or body of men hath or can have any right to absolve or discharge me from the obligation of this oath, declaration, or affirmation ; and that I do make this acknowledgment, profession, testimony, declaration, denial, renunciation, and abjuration, heartily and truly, according to the common meaning and acceptance of the foregoing words, without any equivocation, mental evasion, or secret reservation whatsoever. So help me, GOD.”]

Oath of office.

“ I, A. B., do solemnly swear and affirm, that I will faithfully and impartially discharge and perform all the duties incumbent on me as _____, according to the best of my abilities and understanding, agreeably to the rules and regulations of the constitution and the laws of the commonwealth. So help me, GOD.”

Provido. See amendments, Art. VI.

Provided, always, that when any person chosen or appointed as aforesaid, shall be of the denomination of the

people called Quakers, and shall decline taking the said oath[s], he shall make his affirmation in the foregoing form, and subscribe the same, omitting the words, [*“ I do swear,” “ and abjure,” “ oath or,” “ and abjuration,”* in the first oath, and in the second oath, the words] *“ swear and,”* and [in each of them] the words *“ So help me, GOD;”* subjoining instead thereof, *“ This I do under the pains and penalties of perjury.”*

And the said oaths or affirmations shall be taken and subscribed by the governor, lieutenant-governor, and councillors, before the president of the senate, in the presence of the two houses of assembly; and by the senators and representatives first elected under this constitution, before the president and five of the council of the former constitution; and forever afterwards before the governor and council for the time being; and by the residue of the officers aforesaid, before such persons and in such manner as from time to time shall be prescribed by the legislature.

Oaths and affirmations, how administered.

II. No governor, lieutenant-governor, or judge of the supreme judicial court, shall hold any other office or place, under the authority of this commonwealth, except such as by this constitution they are admitted to hold, saving that the judges of the said court may hold the offices of justices of the peace through the state; nor shall they hold any other place or office, or receive any pension or salary from any other state or government or power whatever.

Plurality of offices prohibited to governor, etc., except, etc. See amendments, Art. VIII.

No person shall be capable of holding or exercising at the same time, within this state, more than one of the following offices, viz. : judge of probate — sheriff — register of probate — or register of deeds; and never more than any two offices, which are to be held by appointment of the governor, or the governor and council, or the senate, or the house of representatives, or by the election of the people of the state at large, or of the people of any county, military offices, and the offices of justices of the peace excepted, shall be held by one person.

Same subject. 1 Allen, 553.

No person holding the office of judge of the supreme judicial court — secretary — attorney-general — solicitor-general — treasurer or receiver-general — judge of probate — commissary-general — [president, professor, or instructor of Harvard College] — sheriff — clerk of the house of representatives — register of probate — register of deeds — clerk of the supreme judicial court — clerk of the inferior court of common pleas — or officer of the customs, including in this description naval officers — shall at the

Incompatible offices. For further provisions as to incompatible offices, see amendments, Art. VIII. Officers of Harvard College excepted by amendments, Art. XXVII.

same time have a seat in the senate or house of representatives ; but their being chosen or appointed to, and accepting the same, shall operate as a resignation of their seat in the senate or house of representatives ; and the place so vacated shall be filled up.

Incompatible
offices.

And the same rule shall take place in case any judge of the said supreme judicial court, or judge of probate, shall accept a seat in council ; or any councillor shall accept of either of those offices or places.

Bribery, etc.,
disqualify.

And no person shall ever be admitted to hold a seat in the legislature, or any office of trust or importance under the government of this commonwealth, who shall, in the due course of law, have been convicted of bribery or corruption in obtaining an election or appointment.

Value of money
ascertained.

III. In all cases where sums of money are mentioned in this constitution, the value thereof shall be computed in silver, at six shillings and eight pence per ounce ; and it shall be in the power of the legislature, from time to time, to increase such qualifications, as to property, of the persons to be elected to offices, as the circumstances of the commonwealth shall require.

Property quali-
fications may
be increased.
See amend-
ments, Arts.
XIII. and
XXXIV.

Provisions
respecting
commissions.

IV. All commissions shall be in the name of the Commonwealth of Massachusetts, signed by the governor and attested by the secretary or his deputy, and have the great seal of the commonwealth affixed thereto.

Provisions re-
specting writs.
2 Pick. 592.
3 Met. 58.
13 Gray, 74.

V. All writs, issuing out of the clerk's office in any of the courts of law, shall be in the name of the Commonwealth of Massachusetts ; they shall be under the seal of the court from whence they issue ; they shall bear test of the first justice of the court to which they shall be returnable, who is not a party, and be signed by the clerk of such court.

Continuation of
former laws,
except, etc.
1 Mass. 59.
2 Mass. 334.
3 Pick. 309, 316.
16 Pick. 107, 115.
3 Met. 118.

VI. All the laws which have heretofore been adopted, used, and approved in the Province, Colony, or State of Massachusetts Bay, and usually practised on in the courts of law, shall still remain and be in full force, until altered or repealed by the legislature ; such parts only excepted as are repugnant to the rights and liberties contained in this constitution.

Benefit of
habeas corpus
secured, except,
etc.

VII. The privilege and benefit of the writ of *habeas corpus* shall be enjoyed in this commonwealth, in the most free, easy, cheap, expeditious, and ample manner ; and shall not be suspended by the legislature, except upon the most urgent and pressing occasions, and for a limited time, not exceeding twelve months.

VIII. The enacting style, in making and passing all acts, statutes, and laws, shall be — “Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same.” The enacting style.

IX. To the end there may be no failure of justice, or danger arise to the commonwealth from a change of the form of government, all officers, civil and military, holding commissions under the government and people of Massachusetts Bay in New England, and all other officers of the said government and people, at the time this constitution shall take effect, shall have, hold, use, exercise, and enjoy, all the powers and authority to them granted or committed, until other persons shall be appointed in their stead; and all courts of law shall proceed in the execution of the business of their respective departments; and all the executive and legislative officers, bodies, and powers shall continue in full force, in the enjoyment and exercise of all their trusts, employments, and authority; until the general court, and the supreme and executive officers under this constitution, are designated and invested with their respective trusts, powers, and authority. Officers of former government continued until, etc.

X. [In order the more effectually to adhere to the principles of the constitution, and to correct those violations which by any means may be made therein, as well as to form such alterations as from experience shall be found necessary, the general court which shall be in the year of our Lord one thousand seven hundred and ninety-five, shall issue precepts to the selectmen of the several towns, and to the assessors of the unincorporated plantations, directing them to convene the qualified voters of their respective towns and plantations, for the purpose of collecting their sentiments on the necessity or expediency of revising the constitution, in order to amendments. Provision for revising constitution. For existing provision as to amendments, see amendments, Art. IX.

And if it shall appear, by the returns made, that two-thirds of the qualified voters throughout the state, who shall assemble and vote in consequence of the said precepts, are in favor of such revision or amendment, the general court shall issue precepts, or direct them to be issued from the secretary's office, to the several towns to elect delegates to meet in convention for the purpose aforesaid. Provision for revising constitution.

The said delegates to be chosen in the same manner and proportion as their representatives in the second branch of the legislature are by this constitution to be chosen.]

Provision for
preserving and
publishing this
constitution.

XI. This form of government shall be enrolled on parchment, and deposited in the secretary's office, and be a part of the laws of the land; and printed copies thereof shall be prefixed to the book containing the laws of this commonwealth, in all future editions of the said laws.

ARTICLES OF AMENDMENT.

Bill, etc., not
approved within
five days, not to
become a law,
if legislature
adjourn in the
mean time.
3 Mass. 507.
See Const., Ch.
I., § 1, Art. II.

ARTICLE I. If any bill or resolve shall be objected to, and not approved by the governor; and if the general court shall adjourn within five days after the same shall have been laid before the governor for his approbation, and thereby prevent his returning it with his objections, as provided by the constitution, such bill or resolve shall not become a law, nor have force as such.

General court
empowered to
charter cities.
122 Mass. 354.

ART. II. The general court shall have full power and authority to erect and constitute municipal or city governments, in any corporate town or towns in this commonwealth, and to grant to the inhabitants thereof such powers, privileges, and immunities, not repugnant to the constitution, as the general court shall deem necessary or expedient for the regulation and government thereof, and to prescribe the manner of calling and holding public meetings of the inhabitants, in wards or otherwise, for the election of officers under the constitution, and the manner of returning the votes given at such meetings. Provided, that no such government shall be erected or constituted in any town not containing twelve thousand inhabitants, nor unless it be with the consent, and on the application of a majority of the inhabitants of such town, present and voting thereon, pursuant to a vote at a meeting duly warned and holden for that purpose. And provided, also, that all by-laws, made by such municipal or city government, shall be subject, at all times, to be annulled by the general court.

Proviso.
112 Mass. 200.

Qualifications of
voters for gov-
ernor, lieuten-
ant-governor,
senators and
representatives.
See amend-
ments, Arts.
XXX. and
XXXII.
11 Pick. 538, 640.
14 Pick. 341.
14 Mass. 367.
5 Met. 162, 298,
501, 594.
7 Gray, 299.
122 Mass. 595, 597.
124 Mass. 596.

ART. III. Every male citizen of twenty-one years of age and upwards, excepting paupers and persons under guardianship, who shall have resided within the commonwealth one year, and within the town or district in which he may claim a right to vote, six calendar months next preceding any election of governor, lieutenant-governor, senators, or representatives, [and who shall have paid, by himself, or his parent, master, or guardian, any state or county tax, which shall, within two years next preceding

such election, have been assessed upon him, in any town or district of this commonwealth; and also every citizen who shall be, by law, exempted from taxation, and who shall be, in all other respects, qualified as above mentioned,] shall have a right to vote in such election of governor, lieutenant-governor, senators, and representatives; and no other person shall be entitled to vote in such elections.

See also amendments, Art. XXIII., which was annulled by amendments, Art. XXVI.

For educational qualification, see amendments, Art. XX. For provision as to those who have served in the army or navy in time of war, see amendments, Arts. XXVIII. and XXXI.

ART. IV. Notaries public shall be appointed by the governor in the same manner as judicial officers are appointed, and shall hold their offices during seven years, unless sooner removed by the governor, with the consent of the council, upon the address of both houses of the legislature.

Notaries public, how appointed and removed.

[In case the office of secretary or treasurer of the commonwealth shall become vacant from any cause, during the recess of the general court, the governor, with the advice and consent of the council, shall nominate and appoint, under such regulations as may be prescribed by law, a competent and suitable person to such vacant office, who shall hold the same until a successor shall be appointed by the general court.]

Vacancies in the offices of secretary and treasurer, how filled. This clause superseded by amendments, Art. XVII.

Whenever the exigencies of the commonwealth shall require the appointment of a commissary-general, he shall be nominated, appointed, and commissioned, in such manner as the legislature may, by law, prescribe.

Commissary-general may be appointed, in case, etc.

All officers commissioned to command in the militia may be removed from office in such manner as the legislature may, by law, prescribe.

Militia officers, how removed.

ART. V. In the elections of captains and subalterns of the militia, all the members of their respective companies, as well those under as those above the age of twenty-one years, shall have a right to vote.

Who may vote for captains and subalterns.

ART. VI. Instead of the oath of allegiance prescribed by the constitution, the following oath shall be taken and subscribed by every person chosen or appointed to any office, civil or military, under the government of this commonwealth, before he shall enter on the duties of his office, to wit:—

Oath to be taken by all officers. See Const., Ch. VI., Art. I.

“I, A. B., do solemnly swear, that I will bear true faith and allegiance to the Commonwealth of Massachusetts, and will support the constitution thereof. So help me, God.”

Provided, That when any person shall be of the denomination called Quakers, and shall decline taking said oath,

Proviso. Quakers may affirm.

he shall make his affirmation in the foregoing form, omitting the word "swear" and inserting, instead thereof, the word "affirm," and omitting the words "So help me, God," and subjoining, instead thereof, the words, "This I do under the pains and penalties of perjury."

Tests abolished.

ART. VII. No oath, declaration, or subscription, excepting the oath prescribed in the preceding article, and the oath of office, shall be required of the governor, lieutenant-governor, councillors, senators, or representatives, to qualify them to perform the duties of their respective offices.

Incompatibility
of offices.
122 Mass. 445,
600.
123 Mass. 535.

ART. VIII. No judge of any court of this commonwealth, (except the court of sessions,) and no person holding any office under the authority of the United States, (postmasters excepted,) shall, at the same time, hold the office of governor, lieutenant-governor, or councillor, or have a seat in the senate or house of representatives of this commonwealth; and no judge of any court in this commonwealth, (except the court of sessions,) nor the attorney-general, solicitor-general, county attorney, clerk of any court, sheriff, treasurer, and receiver-general, register of probate, nor register of deeds, shall continue to hold his said office after being elected a member of the Congress of the United States, and accepting that trust; but the acceptance of such trust, by any of the officers aforesaid, shall be deemed and taken to be a resignation of his said office; and judges of the courts of common pleas shall hold no other office under the government of this commonwealth, the office of justice of the peace and militia offices excepted.

Amendments to
constitution,
how made.

ART. IX. If, at any time hereafter, any specific and particular amendment or amendments to the constitution be proposed in the general court, and agreed to by a majority of the senators and two-thirds of the members of the house of representatives present and voting thereon, such proposed amendment or amendments shall be entered on the journals of the two houses, with the yeas and nays taken thereon, and referred to the general court then next to be chosen, and shall be published; and if, in the general court next chosen as aforesaid, such proposed amendment or amendments shall be agreed to by a majority of the senators and two-thirds of the members of the house of representatives present and voting thereon, then it shall be the duty of the general court to submit such proposed amendment or amendments to the people; and if they shall be approved and ratified by a majority of the quali-

fied voters, voting thereon, at meetings legally warned and holden for that purpose, they shall become part of the constitution of this commonwealth.

ART. X. The political year shall begin on the first Wednesday of January, instead of the last Wednesday of May; and the general court shall assemble every year on the said first Wednesday of January, and shall proceed, at that session, to make all the elections, and do all the other acts, which are by the constitution required to be made and done at the session which has heretofore commenced on the last Wednesday of May. And the general court shall be dissolved on the day next preceding the first Wednesday of January, without any proclamation or other act of the governor. But nothing herein contained shall prevent the general court from assembling at such other times as they shall judge necessary, or when called together by the governor. The governor, lieutenant-governor and councillors, shall also hold their respective offices for one year next following the first Wednesday of January, and until others are chosen and qualified in their stead.

[The meeting for the choice of governor, lieutenant-governor, senators, and representatives, shall be held on the second Monday of November in every year; but meetings may be adjourned, if necessary, for the choice of representatives, to the next day, and again to the next succeeding day, but no further. But in case a second meeting shall be necessary for the choice of representatives, such meetings shall be held on the fourth Monday of the same month of November.]

All the other provisions of the constitution, respecting the elections and proceedings of the members of the general court, or of any other officers or persons whatever, that have reference to the last Wednesday of May, as the commencement of the political year, shall be so far altered, as to have like reference to the first Wednesday of January.

This article shall go into operation on the first day of October, next following the day when the same shall be duly ratified and adopted as an amendment of the constitution; and the governor, lieutenant-governor, councillors, senators, representatives, and all other state officers, who are annually chosen, and who shall be chosen for the current year, when the same shall go into operation, shall hold their respective offices until the first Wednesday of January then next following, and until others are chosen and qualified in their stead, and no longer; and the first

Commencement
of political year,

and termination

Meetings for the
choice of gov-
ernor, lieuten-
ant-governor,
etc., when to be
held.
This clause
superseded by
amendments,
Art. XV.

Article, when to
go into opera-
tion.

election of the governor, lieutenant-governor, senators, and representatives, to be had in virtue of this article, shall be had conformably thereunto, in the month of November following the day on which the same shall be in force, and go into operation, pursuant to the foregoing provision.

Inconsistent provisions annulled.

All the provisions of the existing constitution, inconsistent with the provisions herein contained, are hereby wholly annulled.

Religious freedom established. See Dec. of Rights, Art. III.

ART. XI. Instead of the third article of the bill of rights, the following modification and amendment thereof is substituted : —

“ As the public worship of GOD and instructions in piety, religion, and morality, promote the happiness and prosperity of a people, and the security of a republican government ; therefore, the several religious societies of this commonwealth, whether corporate or unincorporate, at any meeting legally warned and holden for that purpose, shall ever have the right to elect their pastors or religious teachers, to contract with them for their support, to raise money for erecting and repairing houses for public worship, for the maintenance of religious instruction, and for the payment of necessary expenses ; and all persons belonging to any religious society shall be taken and held to be members, until they shall file with the clerk of such society a written notice, declaring the dissolution of their membership, and thenceforth shall not be liable for any grant or contract which may be thereafter made, or entered into by such society ; and all religious sects and denominations, demeaning themselves peaceably, and as good citizens of the commonwealth, shall be equally under the protection of the law ; and no subordination of any one sect or denomination to another shall ever be established by law.”

122 Mass. 40, 41.

Census of ratable polls to be taken in 1837, and decennially thereafter. This article was superseded by amendments, Art. XIII., which was also superseded by amendments, Art. XXI. Representatives, how apportioned.

ART. XII. [In order to provide for a representation of the citizens of this commonwealth, founded upon the principles of equality, a census of the ratable polls, in each city, town, and district of the commonwealth, on the first day of May, shall be taken and returned into the secretary's office, in such manner as the legislature shall provide, within the month of May, in the year of our Lord one thousand eight hundred and thirty-seven, and in every tenth year thereafter, in the month of May, in manner aforesaid ; and each town or city having three hundred ratable polls at the last preceding decennial census of polls, may elect one representative, and for every four hundred

and fifty ratable polls in addition to the first three hundred, one representative more.

Any town having less than three hundred ratable polls shall be represented thus: The whole number of ratable polls, at the last preceding decennial census of polls, shall be multiplied by ten, and the product divided by three hundred; and such town may elect one representative as many years within ten years, as three hundred is contained in the product aforesaid.

Towns having less than 300 ratable polls, how represented.

Any city or town having ratable polls enough to elect one or more representatives, with any number of polls beyond the necessary number, may be represented, as to that surplus number, by multiplying such surplus number by ten and dividing the product by four hundred and fifty; and such city or town may elect one additional representative as many years, within the ten years, as four hundred and fifty is contained in the product aforesaid.

Fractions, how represented.

Any two or more of the several towns and districts may, by consent of a majority of the legal voters present at a legal meeting, in each of said towns and districts, respectively, called for that purpose, and held previous to the first day of July, in the year in which the decennial census of polls shall be taken, form themselves into a representative district to continue until the next decennial census of polls, for the election of a representative, or representatives; and such district shall have all the rights, in regard to representation, which would belong to a town containing the same number of ratable polls.

Towns may unite into representative districts.

The governor and council shall ascertain and determine, within the months of July and August, in the year of our Lord one thousand eight hundred and thirty-seven, according to the foregoing principles, the number of representatives, which each city, town, and representative district is entitled to elect, and the number of years, within the period of ten years then next ensuing, that each city, town, and representative district may elect an additional representative; and where any town has not a sufficient number of polls to elect a representative each year, then, how many years within the ten years, such town may elect a representative; and the same shall be done once in ten years, thereafter, by the governor and council, and the number of ratable polls in each decennial census of polls, shall determine the number of representatives, which each city, town and representative district may elect as aforesaid; and when the number of representatives to be elected

The governor and council to determine the number of representatives to which each town is entitled.

New apportionment to be made once in every ten years.

by each city, town, or representative district is ascertained and determined as aforesaid, the governor shall cause the same to be published forthwith for the information of the people, and that number shall remain fixed and unalterable for the period of ten years.

Inconsistent provisions annulled.

All the provisions of the existing constitution inconsistent with the provisions herein contained, are hereby wholly annulled.]

Census of inhabitants to be taken in 1840, and decennially thereafter, for basis of representation.

Provisions as to census superseded by amendments, Arts.

XXI. and XXII.

Senatorial districts declared permanent.

Provisions as to senators superseded by amendments, Art.

XXII.

ART. XIII. [A census of the inhabitants of each city and town, on the first day of May, shall be taken, and returned into the secretary's office, on or before the last day of June, of the year one thousand eight hundred and forty, and of every tenth year thereafter; which census shall determine the apportionment of senators and representatives for the term of ten years.

122 Mass. 595.

The several senatorial districts now existing shall be permanent. The senate shall consist of forty members; and in the year one thousand eight hundred and forty, and every tenth year thereafter, the governor and council shall assign the number of senators to be chosen in each district, according to the number of inhabitants in the same. But, in all cases, at least one senator shall be assigned to each district.

House of representatives, how apportioned.

Provisions as to representatives superseded by amendments, Art. XXI.

The members of the house of representatives shall be apportioned in the following manner: Every town or city containing twelve hundred inhabitants may elect one representative; and two thousand four hundred inhabitants shall be the mean increasing number, which shall entitle it to an additional representative.

Small towns, how represented.

Every town containing less than twelve hundred inhabitants shall be entitled to elect a representative as many times within ten years as the number one hundred and sixty is contained in the number of the inhabitants of said town. Such towns may also elect one representative for the year in which the valuation of estates within the commonwealth shall be settled.

Towns may unite into representative districts.

Any two or more of the several towns may, by consent of a majority of the legal voters present at a legal meeting, in each of said towns, respectively, called for that purpose, and held before the first day of August, in the year one thousand eight hundred and forty, and every tenth year thereafter, form themselves into a representative district, to continue for the term of ten years; and such district shall have all the rights, in regard to representation, which would belong to a town containing the same number of inhabitants.

The number of inhabitants which shall entitle a town to elect one representative, and the mean increasing number which shall entitle a town or city to elect more than one, and also the number by which the population of towns not entitled to a representative every year is to be divided, shall be increased, respectively, by one-tenth of the numbers above mentioned, whenever the population of the commonwealth shall have increased to seven hundred and seventy thousand, and for every additional increase of seventy thousand inhabitants, the same addition of one-tenth shall be made, respectively, to the said numbers above mentioned.

Basis of representation, and ratio of increase.

In the year of each decennial census, the governor and council shall, before the first day of September, apportion the number of representatives which each city, town, and representative district is entitled to elect, and ascertain how many years, within ten years, any town may elect a representative, which is not entitled to elect one every year; and the governor shall cause the same to be published forthwith.

The governor and council to apportion the number of representatives of each town once in every ten years.

Nine councillors shall be annually chosen from among the people at large, on the first Wednesday of January, or as soon thereafter as may be, by the joint ballot of the senators and representatives, assembled in one room, who shall, as soon as may be, in like manner, fill up any vacancies that may happen in the council, by death, resignation, or otherwise. No person shall be elected a councillor, who has not been an inhabitant of this commonwealth for the term of five years immediately preceding his election; and not more than one councillor shall be chosen from any one senatorial district in the commonwealth.]

Councillors to be chosen from the people at large. Provisions as to councillors superseded by amendments, Art. XVI.

Qualifications of councillors.

No possession of a freehold, or of any other estate, shall be required as a qualification for holding a seat in either branch of the general court, or in the executive council.

Freehold as a qualification for a seat in general court or council not required.

ART. XIV. In all elections of civil officers by the people of this commonwealth, whose election is provided for by the constitution, the person having the highest number of votes shall be deemed and declared to be elected.

Elections by the people to be by plurality of votes.

ART. XV. The meeting for the choice of governor, lieutenant-governor, senators, and representatives, shall be held on the Tuesday next after the first Monday in November, annually; but in case of a failure to elect representatives on that day, a second meeting shall be holden, for that purpose, on the fourth Monday of the same month of November.

Time of annual election of governor and legislature.

Eight councillors to be chosen by the people. 122 Mass. 595, 598.

Legislature to district state.

Eligibility defined.

Day and manner of election, etc.

Vacancies, how filled. For new provision as to vacancies, see amendments, XXV.

Organization of the government.

ART. XVI. Eight councillors shall be annually chosen by the inhabitants of this commonwealth, qualified to vote for governor. The election of councillors shall be determined by the same rule that is required in the election of governor. The legislature, at its first session after this amendment shall have been adopted, and at its first session after the next state census shall have been taken, and at its first session after each decennial state census thereafterwards, shall divide the commonwealth into eight districts of contiguous territory, each containing a number of inhabitants as nearly equal as practicable, without dividing any town or ward of a city, and each entitled to elect one councillor : *provided, however*, that if, at any time, the constitution shall provide for the division of the commonwealth into forty senatorial districts, then the legislature shall so arrange the councillor districts, that each district shall consist of five contiguous senatorial districts, as they shall be, from time to time, established by the legislature. No person shall be eligible to the office of councillor who has not been an inhabitant of the commonwealth for the term of five years immediately preceding his election. The day and manner of the election, the return of the votes, and the declaration of the said elections, shall be the same as are required in the election of governor. [Whenever there shall be a failure to elect the full number of councillors, the vacancies shall be filled in the same manner as is required for filling vacancies in the senate; and vacancies occasioned by death, removal from the state, or otherwise, shall be filled in like manner, as soon as may be, after such vacancies shall have happened.] And that there may be no delay in the organization of the government on the first Wednesday of January, the governor, with at least five councillors for the time being, shall, as soon as may be, examine the returned copies of the records for the election of governor, lieutenant-governor, and councillors; and ten days before the said first Wednesday in January he shall issue his summons to such persons as appear to be chosen, to attend on that day to be qualified accordingly; and the secretary shall lay the returns before the senate and house of representatives on the said first Wednesday in January, to be by them examined; and in case of the election of either of said officers, the choice shall be by them declared and published; but in case there shall be no election of either of said officers, the legislature shall proceed to fill such vacancies in the

manner provided in the constitution for the choice of such officers.

ART. XVII. The secretary, treasurer and receiver-general, auditor, and attorney-general, shall be chosen annually, on the day in November prescribed for the choice of governor; and each person then chosen as such, duly qualified in other respects, shall hold his office for the term of one year from the third Wednesday in January next thereafter, and until another is chosen and qualified in his stead. The qualification of the voters, the manner of the election, the return of the votes, and the declaration of the election, shall be such as are required in the election of governor. In case of a failure to elect either of said officers on the day in November aforesaid, or in case of the decease, in the mean time, of the person elected as such, such officer shall be chosen on or before the third Wednesday in January next thereafter, from the two persons who had the highest number of votes for said offices on the day in November aforesaid, by joint ballot of the senators and representatives, in one room; and in case the office of secretary, or treasurer and receiver-general, or auditor, or attorney-general, shall become vacant, from any cause, during an annual or special session of the general court, such vacancy shall in like manner be filled by choice from the people at large; but if such vacancy shall occur at any other time, it shall be supplied by the governor by appointment, with the advice and consent of the council. The person so chosen or appointed, duly qualified in other respects, shall hold his office until his successor is chosen and duly qualified in his stead. In case any person chosen or appointed to either of the offices aforesaid, shall neglect, for the space of ten days after he could otherwise enter upon his duties, to qualify himself in all respects to enter upon the discharge of such duties, the office to which he has been elected or appointed shall be deemed vacant. No person shall be eligible to either of said offices unless he shall have been an inhabitant of this commonwealth five years next preceding his election or appointment.

ART. XVIII. All moneys raised by taxation in the towns and cities for the support of public schools, and all moneys which may be appropriated by the state for the support of common schools, shall be applied to, and expended in, no other schools than those which are conducted according to law, under the order and superintend-

Election of secretary, treasurer, auditor, and attorney-general by the people.

Vacancies, how filled.

To qualify within ten days, otherwise office to be deemed vacant.

Qualification requisite.

School moneys not to be applied for sectarian schools. For original provision as to schools, see constitution, Part First, Art. III.

12 Allen, 500,
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103 Mass. 94, 96.

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8 Gray, 1.
13 Gray, 74.

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members.
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10 Gray, 613.

ence of the authorities of the town or city in which the money is to be expended; and such moneys shall never be appropriated to any religious sect for the maintenance, exclusively, of its own school.

ART. XIX. The legislature shall prescribe, by general law, for the election of sheriffs, registers of probate, [commissioners of insolvency,] and clerks of the courts, by the people of the several counties, and that district-attorneys shall be chosen by the people of the several districts, for such term of office as the legislature shall prescribe.

110 Mass. 172, 173.

117 Mass. 602, 603.

121 Mass. 65.

ART. XX. No person shall have the right to vote, or be eligible to office under the constitution of this commonwealth, who shall not be able to read the constitution in the English language, and write his name: *provided, however*, that the provisions of this amendment shall not apply to any person prevented by a physical disability from complying with its requisitions, nor to any person who now has the right to vote, nor to any persons who shall be sixty years of age or upwards at the time this amendment shall take effect.

ART. XXI. A census of the legal voters of each city and town, on the first day of May, shall be taken and returned into the office of the secretary of the commonwealth, on or before the last day of June, in the year one thousand eight hundred and fifty-seven; and a census of the inhabitants of each city and town, in the year one thousand eight hundred and sixty-five, and of every tenth year thereafter. In the census aforesaid, a special enumeration shall be made of the legal voters; and in each city, said enumeration shall specify the number of such legal voters aforesaid, residing in each ward of such city. The enumeration aforesaid shall determine the apportionment of representatives for the periods between the taking of the census.

The house of representatives shall consist of two hundred and forty members, which shall be apportioned by the legislature, at its first session after the return of each enumeration as aforesaid, to the several counties of the commonwealth, equally, as nearly as may be, according to their relative numbers of legal voters, as ascertained by the next preceding special enumeration; and the town of Cohasset, in the county of Norfolk, shall, for this purpose, as well as in the formation of districts, as hereinafter provided, be considered a part of the county of Plymouth;

and it shall be the duty of the secretary of the commonwealth, to certify, as soon as may be after it is determined by the legislature, the number of representatives to which each county shall be entitled, to the board authorized to divide each county into representative districts. The mayor and aldermen of the city of Boston, the county commissioners of other counties than Suffolk, — or in lieu of the mayor and aldermen of the city of Boston, or of the county commissioners in each county other than Suffolk, such board of special commissioners in each county, to be elected by the people of the county, or of the towns therein, as may for that purpose be provided by law, — shall, on the first Tuesday of August next after each assignment of representatives to each county, assemble at a shire town of their respective counties, and proceed, as soon as may be, to divide the same into representative districts of contiguous territory, so as to apportion the representation assigned to each county equally, as nearly as may be, according to the relative number of legal voters in the several districts of each county; and such districts shall be so formed that no town or ward of a city shall be divided therefor, nor shall any district be made which shall be entitled to elect more than three representatives. Every representative, for one year at least next preceding his election, shall have been an inhabitant of the district for which he is chosen, and shall cease to represent such district when he shall cease to be an inhabitant of the commonwealth. The districts in each county shall be numbered by the board creating the same, and a description of each, with the numbers thereof and the number of legal voters therein, shall be returned by the board, to the secretary of the commonwealth, the county treasurer of each county, and to the clerk of every town in each district, to be filed and kept in their respective offices. The manner of calling and conducting the meetings for the choice of representatives, and of ascertaining their election, shall be prescribed by law. [Not less than one hundred members of the house of representatives shall constitute a quorum for doing business; but a less number may organize temporarily, adjourn from day to day, and compel the attendance of absent members.]

Secretary shall certify to officers authorized to divide counties.

Meeting for division to be first Tuesday in August. Proceedings.

Qualifications of representatives. 123 Mass. 505, 508.

Districts to be numbered, described and certified.

Quorum, see amendments Art. XXXIII.

Census, etc. See P. S. c. 81.

ART. XXII. A census of the legal voters of each city and town, on the first day of May, shall be taken and returned into the office of the secretary of the commonwealth, on or before the last day of June, in the year one

Voters to be
basis of appor-
tionment of
senators.

Senate to consist
of forty mem-
bers.

Senatorial
districts, etc.

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ments, Art.
XXIV.

Qualifications
of senators.

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Art. XXXIII.

Residence of
two years re-
quired of natu-
ralized citizens,
to entitle to suf-
frage or make
eligible to office.
This article
annulled by
Art. XXVI.

Vacancies in the
senate.

Vacancies in the
council.

thousand eight hundred and fifty-seven; and a census of the inhabitants of each city and town, in the year one thousand eight hundred and sixty-five, and of every tenth year thereafter. In the census aforesaid, a special enumeration shall be made of the legal voters, and in each city said enumeration shall specify the number of such legal voters aforesaid, residing in each ward of such city. The enumeration aforesaid shall determine the apportionment of senators for the periods between the taking of the census. The senate shall consist of forty members. The general court shall, at its first session after each next preceding special enumeration, divide the commonwealth into forty districts of adjacent territory, each district to contain, as nearly as may be, an equal number of legal voters, according to the enumeration aforesaid: *provided, however*, that no town or ward of a city shall be divided therefor; and such districts shall be formed, as nearly as may be, without uniting two counties, or parts of two or more counties, into one district. Each district shall elect one senator, who shall have been an inhabitant of this commonwealth five years at least immediately preceding his election, and at the time of his election shall be an inhabitant of the district for which he is chosen; and he shall cease to represent such senatorial district when he shall cease to be an inhabitant of the commonwealth. [Not less than sixteen senators shall constitute a quorum for doing business; but a less number may organize temporarily, adjourn from day to day, and compel the attendance of absent members.]

ART. XXIII. [No person of foreign birth shall be entitled to vote, or shall be eligible to office, unless he shall have resided within the jurisdiction of the United States for two years subsequent to his naturalization, and shall be otherwise qualified, according to the constitution and laws of this commonwealth: *provided*, that this amendment shall not affect the rights which any person of foreign birth possessed at the time of the adoption thereof; and, *provided, further*, that it shall not affect the rights of any child of a citizen of the United States, born during the temporary absence of the parent therefrom.]

ART. XXIV. Any vacancy in the senate shall be filled by election by the people of the unrepresented district, upon the order of a majority of the senators elected.

ART. XXV. In case of a vacancy in the council, from a failure of election, or other cause, the senate and house

of representatives shall, by concurrent vote, choose some eligible person from the people of the district wherein such vacancy occurs, to fill that office. If such vacancy shall happen when the legislature is not in session, the governor, with the advice and consent of the council, may fill the same by appointment of some eligible person.

ART. XXVI. The twenty-third article of the articles of amendment of the constitution of this commonwealth, which is as follows, to wit: "No person of foreign birth shall be entitled to vote, or shall be eligible to office, unless he shall have resided within the jurisdiction of the United States for two years subsequent to his naturalization, and shall be otherwise qualified, according to the constitution and laws of this commonwealth: *provided*, that this amendment shall not affect the rights which any person of foreign birth possessed at the time of the adoption thereof; and *provided, further*, that it shall not affect the rights of any child of a citizen of the United States, born during the temporary absence of the parent therefrom," is hereby wholly annulled.

Twenty-third article of amendments annulled.

ART. XXVII. So much of article two of chapter six of the constitution of this commonwealth as relates to persons holding the office of president, professor, or instructor of Harvard College, is hereby annulled.

Provisions of Art. II., Chap. VI., relating to officers of Harvard College, annulled.

ART. XXVIII. No person having served in the army or navy of the United States in time of war, and having been honorably discharged from such service, if otherwise qualified to vote, shall be disqualified therefor on account of being a pauper; or, if a pauper, because of the non-payment of a poll-tax.

Superseded by Art. XXXI.

ART. XXIX. The general court shall have full power and authority to provide for the inhabitants of the towns in this Commonwealth more than one place of public meeting within the limits of each town for the election of officers under the constitution, and to prescribe the manner of calling, holding and conducting such meetings. All the provisions of the existing constitution inconsistent with the provisions herein contained are hereby annulled.

Voting precincts in towns.

ART. XXX. No person, otherwise qualified to vote in elections for governor, lieutenant-governor, senators, and representatives, shall, by reason of a change of residence within the Commonwealth, be disqualified from voting for said officers in the city or town from which he has removed his residence, until the expiration of six calendar months from the time of such removal.

Voters not disqualified by reason of change of residence until six months from time of removal.

Amendments,
Art. XXVIII.
amended.

Person who
served in army
or navy, etc.,
not disqualified
from voting for
non-payment of
poll tax.

Provisions of
amendments,
Art. III. relative
to payment of a
tax as a voting
qualification,
annulled.

Quorum, in each
branch of the
general court,
to consist of a
majority of
members.

Provisions of
Art. II., § I.,
Chap. II., Part
II., relative to
property quali-
fication of
governor,
annulled.

Provisions of
Art. II., § III.,
Chap. I., rela-
tive to expense
of travelling to
the general
assembly by
members of the
house, annulled.

ART. XXXI. Article twenty-eight of the Amendments of the Constitution is hereby amended by striking out in the fourth line thereof the words "being a pauper", and inserting in place thereof the words: — receiving or having received aid from any city or town, — and also by striking out in said fourth line the words "if a pauper", so that the article as amended shall read as follows: ARTICLE XXVIII. No person having served in the army or navy of the United States in time of war, and having been honorably discharged from such service, if otherwise qualified to vote, shall be disqualified therefor on account of receiving or having received aid from any city or town, or because of the non-payment of a poll tax.

ART. XXXII. So much of article three of the Amendments of the Constitution of the Commonwealth as is contained in the following words: "and who shall have paid, by himself, or his parent, master, or guardian, any state or county tax, which shall, within two years next preceding such election, have been assessed upon him, in any town or district of this Commonwealth; and also every citizen who shall be, by law, exempted from taxation, and who shall be, in all other respects, qualified as above mentioned", is hereby annulled.

ART. XXXIII. A majority of the members of each branch of the general court shall constitute a quorum for the transaction of business, but a less number may adjourn from day to day, and compel the attendance of absent members. All the provisions of the existing Constitution inconsistent with the provisions herein contained are hereby annulled.

ART. XXXIV. So much of article two of section one of chapter two of part the second of the Constitution of the Commonwealth as is contained in the following words: "and unless he shall at the same time, be seized in his own right, of a freehold within the Commonwealth of the value of one thousand pounds; " is hereby annulled.

ART. XXXV. So much of article two of section three of chapter one of the Constitution of the Commonwealth as is contained in the following words: "The expenses of travelling to the general assembly, and returning home, once in every session, and no more, shall be paid by the government, out of the public treasury, to every member who shall attend as seasonably as he can, in the judgment of the house, and does not depart without leave.", is hereby annulled.

ART. XXXVI. So much of article nineteen of the articles of amendment to the Constitution of the Commonwealth as is contained in the following words "commissioners of insolvency", is hereby annulled.

The constitution of Massachusetts was agreed upon by delegates of the people, in convention, begun and held at Cambridge, on the first day of September, 1779, and continued by adjournments to the second day of March, 1780, when the convention adjourned to meet on the first Wednesday of the ensuing June. In the mean time the constitution was submitted to the people, to be adopted by them, provided two-thirds of the votes given should be in the affirmative. When the convention assembled, it was found that the constitution had been adopted by the requisite number of votes, and the convention accordingly *Resolved*, "That the said Constitution or Frame of Government shall take place on the last Wednesday of October next; and not before, for any purpose, save only for that of making elections, agreeable to this resolution." The first legislature assembled at Boston, on the twenty-fifth day of October, 1780.

The first nine Articles of Amendment were submitted, by delegates in convention assembled, November 15, 1820, to the people, and by them ratified and adopted, April 9, 1821.

The tenth Article was adopted by the legislatures of the political years 1829-30, and 1830-31, respectively, and was approved and ratified by the people May 11, 1831.

The eleventh Article was adopted by the legislatures of the political years 1832 and 1833, respectively, and was approved and ratified by the people November 11, 1833.

The twelfth Article was adopted by the legislatures of the political years 1835 and 1836, respectively, and was approved and ratified by the people the fourteenth day of November, 1836.

The thirteenth Article was adopted by the legislatures of the political years 1839 and 1840, respectively, and was approved and ratified by the people the sixth day of April, 1840.

The fourteenth, fifteenth, sixteenth, seventeenth, eighteenth, and nineteenth Articles were adopted by the legislatures of the political years 1854 and 1855, respectively, and ratified by the people the twenty-third day of May, 1855.

The twentieth, twenty-first, and twenty-second Articles were adopted by the legislatures of the political years 1856 and 1857, respectively, and ratified by the people on the first day of May, 1857.

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The twenty-third Article was adopted by the legislatures of the political years 1858 and 1859, respectively, and ratified by the people on the ninth day of May, 1859, and was repealed by the twenty-sixth Amendment.

The twenty-fourth and twenty-fifth Articles were adopted by the legislatures of the political years 1859 and 1860, and ratified by the people on the seventh day of May, 1860.

The twenty-sixth Article was adopted by the legislatures of the political years 1862 and 1863, and ratified by the people on the sixth day of April, 1863.

The twenty-seventh Article was adopted by the legislatures of the political years 1876 and 1877, and was approved and ratified by the people on the sixth day of November, 1877.

The twenty-eighth Article was adopted by the legislatures of the political years 1880 and 1881, and was approved and ratified by the people on the eighth day of November, 1881.

The twenty-ninth Article was adopted by the legislatures of the political years 1884 and 1885, and was approved and ratified by the people on the third day of November, 1885.

The thirtieth and thirty-first Articles were adopted by the legislatures of the political years 1889 and 1890, and were approved and ratified by the people on the fourth day of November, 1890.

The thirty-second and thirty-third Articles were adopted by the legislatures of the political years 1890 and 1891, and were approved and ratified by the people on the third day of November, 1891.

The thirty-fourth Article was adopted by the legislatures of the political years 1891 and 1892, and was approved and ratified by the people on the eighth day of November, 1892.

The thirty-fifth Article was adopted by the legislatures of the political years 1892 and 1893, and was approved and ratified by the people on the seventh day of November, 1893.

The thirty-sixth Article was adopted by the legislatures of the political years 1893 and 1894, and was approved and ratified by the people on the sixth day of November, 1894.

[A proposed Article of Amendment, prohibiting the manufacture and sale of Intoxicating Liquor as a beverage, adopted by the legislatures of the political years 1888 and 1889, was rejected by the people on the twenty-second day of April, 1889.]

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ACTS AND RESOLVES

OF

MASSACHUSETTS.

1896.

¶ The General Court of the year eighteen hundred and ninety-six assembled on Wednesday, the first day of January. The oaths of office were taken and subscribed by His Excellency FREDERIC T. GREENHALGE and His Honor ROGER WOLCOTT on Thursday, the second day of January, in the presence of the two Houses assembled in convention.

ACTS.

AN ACT MAKING APPROPRIATIONS FOR THE COMPENSATION AND TRAVEL OF THE MEMBERS OF THE LEGISLATURE, FOR THE COMPENSATION OF OFFICERS THEREOF, AND FOR EXPENSES IN CONNECTION THEREWITH. *Chap. 1.*

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows :

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, to wit : —

For the compensation of senators, thirty thousand seven hundred and fifty dollars. *Senators, compensation.*

For travelling expenses of senators, a sum not exceeding thirty-two hundred dollars. *Travelling expenses.*

For the compensation of representatives, one hundred and eighty thousand seven hundred and fifty dollars. *Representatives, compensation.*

For travelling expenses of representatives, a sum not exceeding twenty thousand dollars. *Travelling expenses.*

For the compensation of the chaplains of the senate and house of representatives, three hundred dollars each. *Chaplains.*

For the salaries of the clerks of the senate and house of representatives, three thousand dollars each. *Senate and house clerks.*

For the salaries of the assistant clerks of the senate and house of representatives, two thousand dollars each. *Assistant clerks.*

For such additional clerical assistance for the clerks of the senate and house of representatives as may be necessary for the proper despatch of public business, a sum not exceeding three thousand dollars. *Clerical assistance.*

For the salary of the sergeant-at-arms, thirty-five hundred dollars. *Sergeant-at-arms.*

For the salary of the first clerk in the office of the sergeant-at-arms, twenty-two hundred dollars. *Clerk.*

Doorkeepers.	For the salaries of the doorkeepers of the senate and house of representatives, fifteen hundred dollars each.
Postmaster, messengers, etc.	For the compensation of the assistant doorkeepers, postmaster, messengers and pages to the senate and house of representatives, a sum not exceeding thirty-one thousand five hundred dollars.
Senate, stationery.	For stationery for the senate, purchased by the clerk, a sum not exceeding nine hundred dollars.
House, stationery.	For stationery for the house of representatives, purchased by the clerk, a sum not exceeding fifteen hundred dollars.
Printing and binding, senate and house.	For printing and binding ordered by the senate and house of representatives, or by concurrent order of the two branches, a sum not exceeding thirty thousand dollars.
Manual.	For printing and binding the manual of the general court, under the direction of the clerks of the senate and house of representatives, a sum not exceeding three thousand dollars.
Sergeant-at-arms, stationery, etc.	For books, stationery, postage, printing and advertising, ordered by the sergeant-at-arms, a sum not exceeding twelve hundred dollars.
Senate and house, contingent expenses, etc.	For contingent expenses of the senate and house of representatives, and necessary expenses in and about the state house, a sum not exceeding seven thousand dollars.
Expenses of committees.	For authorized expenses of committees of the present legislature, to include clerical assistance to committees authorized to employ the same, also expenses in connection with committee advertising, a sum not exceeding twenty-five thousand dollars.
Witness fees, etc.	For expenses of summoning witnesses before committees, and for fees for such witnesses, a sum not exceeding two hundred dollars.

SECTION 2. This act shall take effect upon its passage.

Approved January 15, 1896.

Chap. 2.

AN ACT MAKING AN APPROPRIATION FOR EXPENSES IN CONNECTION WITH TAKING THE DECENNIAL CENSUS.

Be it enacted, etc., as follows:

Decennial census, expenses.

SECTION 1. The sum of fifty thousand dollars is hereby appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the payment of expenses in connection with taking the decen-

nial census, as provided for by chapter two hundred and twenty-four of the acts of the year eighteen hundred and ninety-four, the same to be in addition to the amounts heretofore appropriated for the same purpose.

SECTION 2. This act shall take effect upon its passage.

Approved January 23, 1896.

AN ACT MAKING APPROPRIATIONS FOR SALARIES AND EXPENSES IN
THE EXECUTIVE DEPARTMENT OF THE COMMONWEALTH.

Chap. 3.

Be it enacted, etc., as follows:

SECTION 1. The sums hereinafter mentioned are ap- Appropriations.
propriated, to be paid out of the treasury of the Com-
monwealth from the ordinary revenue, for the purposes
specified, to meet expenses for the year ending on the
thirty-first day of December in the year eighteen hundred
and ninety-six, to wit:—

For the compensation of the lieutenant governor, two Lieutenant gov-
thousand dollars; and for the executive council, sixty- ernor and coun-
four hundred dollars. For travelling expenses of the cil, compensa-
executive council, a sum not exceeding fifteen hundred tion, etc.
dollars.

For the salary of the private secretary of the governor, Private secre-
twenty-five hundred dollars. tary.

For the salary of the executive clerk of the governor Executive clerk.
and council, two thousand dollars.

For the salary of the executive stenographer, a sum not Stenographer.
exceeding one thousand dollars.

For the salary of the executive messenger, twelve hun- Messenger.
dred dollars.

For contingent expenses of the executive department, Executive
the sum of three thousand dollars. department, ex-
penses.

For postage, printing and stationery for the executive Postage, print-
department, a sum not exceeding eight hundred dollars. ing, etc.

For travelling and contingent expenses of the governor Governor and
and council, a sum not exceeding twenty-five hundred council, ex-
dollars. penses.

For postage, printing and stationery for the executive Postage, print-
council, a sum not exceeding five hundred dollars. ing, etc.

For the payment of extraordinary expenses, to be ex- Extraordinary
pended under the direction of the governor and council, a expenses.
sum not exceeding twenty thousand dollars.

For the preparation of tables and indexes relating to Indexes, etc., to
the statutes of the present and previous years, under the statutes.

direction of the governor, a sum not exceeding five hundred dollars.

Arrest of fugitives from justice.

For expenses incurred in the arrest of fugitives from justice, a sum not exceeding two thousand dollars.

SECTION 2. This act shall take effect upon its passage.

Approved January 27, 1896.

Chap. 4.

AN ACT MAKING APPROPRIATIONS FOR SALARIES AND EXPENSES IN THE DEPARTMENT OF THE SECRETARY OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

Appropriations.

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, to meet expenses for the year ending on the thirty-first day of December in the year eighteen hundred and ninety-six, to wit: —

Secretary.
compensation.

For the salary of the secretary of the Commonwealth, thirty-five hundred dollars.

First clerk.

For the salary of the first clerk in the secretary's department, twenty-two hundred dollars.

Second clerk.

For the salary of the second clerk in the secretary's department, two thousand dollars.

Third clerk.

For the salary of the third clerk in the secretary's department, eighteen hundred dollars.

Cashier.

For the salary of the cashier in the secretary's department, a sum not exceeding fifteen hundred dollars.

Extra clerks and messengers.

For messengers and such additional clerical assistance as the secretary may find necessary, a sum not exceeding twenty-two thousand dollars.

Expenses.

For incidental and contingent expenses in the department of the secretary of the Commonwealth, a sum not exceeding thirty-five hundred dollars.

Arrangement of state records, etc.

For the arrangement and preservation of state records and papers, under the direction of the secretary of the Commonwealth, a sum not exceeding five thousand dollars.

Postage and expressage on documents.

For postage and expressage on documents to members of the general court, also for transportation of documents to free public libraries, a sum not exceeding two thousand dollars.

Record inks.

For the purchase of record inks for public records, under the direction of the secretary, a sum not exceeding five hundred dollars.

SECTION 2. This act shall take effect upon its passage.

Approved January 27, 1896.

AN ACT MAKING APPROPRIATIONS FOR SALARIES AND EXPENSES
IN THE DEPARTMENT OF THE TREASURER AND RECEIVER GEN-
ERAL. *Chap. 5.*

Be it enacted, etc., as follows :

SECTION 1. The sums hereinafter mentioned are Appropriations, appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, to meet expenses for the year ending on the thirty-first day of December in the year eighteen hundred and ninety-six, to wit : —

For the salary of the treasurer and receiver general of the Commonwealth, five thousand dollars. Treasurer, compensation.

For the salary of the first clerk in the treasurer's department, twenty-five hundred dollars. First clerk.

For the salary of the second clerk in the treasurer's department, two thousand dollars. Second clerk.

For the salary of the cashier in the treasurer's department, two thousand dollars. Cashier.

For the salary of the third clerk in the treasurer's department, fourteen hundred dollars. Third clerk.

For the salary of the fund clerk in the treasurer's department, fourteen hundred dollars. Fund clerk.

For the salary of the receiving teller in the treasurer's department, fourteen hundred dollars. Receiving teller.

For the salary of the paying teller in the treasurer's department, fourteen hundred dollars. Paying teller.

For the salary of the assistant bookkeeper in the treasurer's department, twelve hundred dollars. Assistant book-keeper.

For such additional clerical assistance in the treasurer's department as may be necessary for the despatch of public business, a sum not exceeding one thousand dollars. Additional clerical assistance.

For incidental and contingent expenses in the department of the treasurer and receiver general, a sum not exceeding five thousand dollars. Expenses.

For clerical assistance in the office of the treasurer and receiver general, in the care and custody of deposits made with him in trust, a sum not exceeding eighteen hundred dollars. Clerical assistance.

For the salary of the legacy tax clerk in the treasurer's department, eighteen hundred dollars. Legacy tax clerk.

For such expenses as the treasurer and receiver general may find necessary in carrying out the provisions of the Tax on collateral legacies, etc.

act imposing a tax on collateral legacies and successions, a sum not exceeding seven hundred and fifty dollars.

Deputy sealer of weights, etc.

For the salary of the deputy sealer of weights, measures and balances, twelve hundred dollars.

Expenses, etc.

For travelling and other expenses of the deputy sealer of weights, measures and balances, a sum not exceeding five hundred dollars; and for furnishing sets of standard weights, measures and balances to towns not heretofore provided therewith and to each newly incorporated town, also to provide cities and towns with such portions of said sets as may be necessary to make their sets complete, a sum not exceeding six hundred dollars.

SECTION 2. This act shall take effect upon its passage.

Approved January 27, 1896.

Chap. 6.

AN ACT MAKING APPROPRIATIONS FOR SALARIES AND EXPENSES IN THE DEPARTMENT OF THE AUDITOR OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

Appropriations

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, to meet expenses for the year ending on the thirty-first day of December in the year eighteen hundred and ninety-six, to wit:—

Auditor, compensation.
First clerk.

For the salary of the auditor, thirty-five hundred dollars.

For the salary of the first clerk in the auditor's department, twenty-two hundred dollars.

Second clerk.

For the salary of the second clerk in the auditor's department, two thousand dollars.

Extra clerks.

For the salaries of the extra clerks in the auditor's department, forty-five hundred dollars.

Stenographer, etc.

For a stenographer, messenger, and such additional clerical assistance as the auditor may find necessary for the proper despatch of public business, a sum not exceeding twenty-five hundred dollars.

State printing expert.

For the compensation of a state printing expert, a sum not exceeding one thousand dollars.

Expenses.

For incidental and contingent expenses in the department of the auditor, a sum not exceeding one thousand dollars.

SECTION 2. This act shall take effect upon its passage.

Approved January 27, 1896.

AN ACT MAKING APPROPRIATIONS FOR SALARIES AND EXPENSES IN THE DEPARTMENT OF THE ATTORNEY-GENERAL OF THE COMMONWEALTH. *Chap. 7.*

Be it enacted, etc., as follows:

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, to meet expenses for the year ending on the thirty-first day of December in the year eighteen hundred and ninety-six, to wit: —

For the salary of the attorney-general, five thousand dollars. Appropriations.
Attorney-general, compensation.

For the salary of the first assistant attorney-general, twenty-five hundred dollars. First assistant.

For the salary of the second assistant attorney-general, fifteen hundred dollars. Second assistant.

For books, stationery, postage, printing and other necessary expenses in the department of the attorney-general, a sum not exceeding twenty-nine hundred dollars; and for expenses of civil actions, a sum not exceeding eight hundred dollars. Expenses.

SECTION 2. This act shall take effect upon its passage.

Approved January 27, 1896.

AN ACT RELATING TO THE DECENNIAL CENSUS.

Chap. 8.

Be it enacted, etc., as follows:

SECTION 1. The bureau of statistics of labor is hereby authorized to expend the sum of seventy-five thousand dollars, in addition to the amount fixed by section seventeen of chapter two hundred and twenty-four of the acts of the year eighteen hundred and ninety-four, for the purposes of the decennial census of the year eighteen hundred and ninety-five, exclusive of the cost of paper for schedules, and of printing, stereotyping and binding the abstracts and reports upon said census. Bureau of statistics of labor, decennial census.

SECTION 2. The time within which the returns of said census relative to agricultural products and property shall be made is hereby extended to the fifteenth day of June in the present year. Time extended.

SECTION 3. This act shall take effect upon its passage.

Approved January 29, 1896.

Chap. 9. AN ACT MAKING APPROPRIATIONS FOR SALARIES AND EXPENSES OF THE STATE BOARD OF ARBITRATION AND CONCILIATION.

Be it enacted, etc., as follows :

Appropriations.

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, to meet expenses for the year ending on the thirty-first day of December in the year eighteen hundred and ninety-six, to wit : —

**Board of arbitration and conciliation.
Clerk.**

For the salaries of the members of the state board of arbitration and conciliation, six thousand dollars.

For the salary of the clerk of the state board of arbitration and conciliation, twelve hundred dollars.

Expenses.

For travelling, incidental and contingent expenses of the state board of arbitration and conciliation, a sum not exceeding four thousand dollars, which shall include the compensation of expert assistants.

SECTION 2. This act shall take effect upon its passage.

Approved January 29, 1896.

Chap. 10. AN ACT MAKING APPROPRIATIONS FOR SALARIES AND EXPENSES OF THE BUREAU OF STATISTICS OF LABOR.

Be it enacted, etc., as follows :

Appropriations.

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, to meet expenses for the year ending on the thirty-first day of December in the year eighteen hundred and ninety-six, to wit : —

**Bureau of statistics of labor, chief.
First clerk.**

For the salary of the chief of the bureau of statistics of labor, twenty-five hundred dollars.

For the salary of the first clerk of the bureau of statistics of labor, eighteen hundred dollars.

Second clerk.

For the salary of the second clerk of the bureau of statistics of labor, fifteen hundred dollars.

Clerical assistance, etc.

For such additional clerical assistance and for such expenses of the bureau of statistics of labor as may be necessary, a sum not exceeding six thousand dollars.

Statistics of manufactures.

For expenses in connection with the annual collection of statistics of manufactures, a sum not exceeding sixty-five hundred dollars.

For contingent expenses of the bureau of statistics of labor, to be expended under the direction of the sergeant-at-arms, a sum not exceeding five hundred dollars.

Contingent expenses.

For rent of rooms for the use of the bureau of statistics of labor, and for services of a janitor, a sum not exceeding three thousand dollars.

Rent of rooms, janitor.

For rent of rooms for the bureau of statistics of labor for storage purposes, a sum not exceeding five hundred and fifty dollars.

Rent of rooms for storage.

For rent of additional rooms for the use of the bureau of statistics of labor for such period of time as may be required for the purposes of the decennial census, a sum not exceeding twenty-five hundred dollars.

Rent of additional rooms.

For expenses in connection with taking a special census in towns having an increased resident population during the summer months, a sum not exceeding two hundred and fifty dollars.

Expenses of special census.

SECTION 2. This act shall take effect upon its passage.

Approved January 29, 1896.

AN ACT MAKING APPROPRIATIONS FOR SALARIES AND EXPENSES OF THE CIVIL SERVICE COMMISSION. *Chap. 11.*

Be it enacted, etc., as follows:

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, to meet expenses for the year ending on the thirty-first day of December in the year eighteen hundred and ninety-six, to wit: —

Appropriations.

For the compensation and expenses of the members of the civil service commission, a sum not exceeding two thousand dollars.

Civil service commission.

For the salary of the chief examiner of the civil service commission, three thousand dollars.

Chief examiner.

For the salary of the secretary of the civil service commission, two thousand dollars.

Secretary.

For the salary of the registrar of labor of the civil service commission, two thousand dollars.

Registrar of labor.

For clerical assistance, expenses of examinations, printing civil service rules and regulations and other information for the use of applicants, printing, advertising and stationery, travelling and incidental expenses of the chief examiner, commissioners and secretary, and necessary

Expenses.

office expenses, a sum not exceeding eleven thousand dollars.

SECTION 2. This act shall take effect upon its passage.

Approved January 29, 1896.

Chap. 12. AN ACT MAKING APPROPRIATIONS FOR SALARIES AND EXPENSES OF THE COMMISSIONERS OF THE MASSACHUSETTS NAUTICAL TRAINING SCHOOL.

Be it enacted, etc., as follows:

Appropriations. SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, to meet expenses for the year ending on the thirty-first day of December in the year eighteen hundred and ninety-six, to wit:—

Nautical training school. For the payment of current expenses of the Massachusetts nautical training school, on board the United States ship Enterprise which has been detailed for the use of said school, a sum not exceeding fifty thousand dollars.

Expenses of commissioners. For the necessary expenses of the commissioners of the Massachusetts nautical training school, to include salary of the secretary, clerical services, printing, stationery and other contingent expenses, a sum not exceeding forty-five hundred dollars.

SECTION 2. This act shall take effect upon its passage.

Approved January 29, 1896.

Chap. 13. AN ACT MAKING APPROPRIATIONS FOR SALARIES AND EXPENSES OF THE COMMISSIONERS OF SAVINGS BANKS.

Be it enacted, etc., as follows:

Appropriations. SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, to meet expenses for the year ending on the thirty-first day of December in the year eighteen hundred and ninety-six, to wit:—

Commissioners of savings banks, chairman. For the salary of the chairman of the commissioners of savings banks, thirty-five hundred dollars.

Associate commissioners. For the salaries of the two associate commissioners of savings banks, three thousand dollars each.

First clerk. For the salary of the first clerk of the commissioners of savings banks, two thousand dollars.

For the salary of the second clerk of the commissioners of savings banks, twelve hundred dollars. Second clerk.

For such additional clerks and expert assistants as the commissioners of savings banks may deem necessary, a sum not exceeding twenty-five hundred dollars. Additional clerks, etc.

For travelling and incidental expenses of the commissioners of savings banks, a sum not exceeding thirty-three hundred dollars. Expenses.

SECTION 2. This act shall take effect upon its passage.

Approved January 29, 1896.

AN ACT MAKING APPROPRIATIONS FOR SALARIES AND EXPENSES OF THE GAS AND ELECTRIC LIGHT COMMISSIONERS. Chap. 14.

Be it enacted, etc., as follows:

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, to meet expenses for the year ending on the thirty-first day of December in the year eighteen hundred and ninety-six, to wit:— Appropriations.

For the salaries of the gas and electric light commissioners, eight thousand dollars. Gas and electric light commissioners.

For clerical assistance to the gas and electric light commissioners, a sum not exceeding three thousand dollars. Clerical assistance.

For statistics, books and stationery, and for the necessary expenses of the gas and electric light commissioners, a sum not exceeding three thousand dollars. Expenses.

SECTION 2. This act shall take effect upon its passage.

Approved January 29, 1896.

AN ACT MAKING APPROPRIATIONS FOR SALARIES AND EXPENSES OF THE RAILROAD COMMISSIONERS. Chap. 15.

Be it enacted, etc., as follows:

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, to meet expenses for the year ending on the thirty-first day of December in the year eighteen hundred and ninety-six, to wit:— Appropriations.

For the salaries of the railroad commissioners, eleven thousand dollars. Railroad commissioners.

For the salary of the clerk of the railroad commissioners, twenty-five hundred dollars. Clerk.

- Assistant clerk.** For the salary of the assistant clerk of the railroad commissioners, a sum not exceeding twelve hundred dollars.
- Accountant.** For the salary of the accountant of the railroad commissioners, twenty-five hundred dollars.
- Railroad inspectors.** For the salaries and expenses of the railroad inspectors provided for by chapter five hundred and thirty-five of the acts of the year eighteen hundred and ninety-four, a sum not exceeding five thousand dollars.
- Experts, etc.** For the compensation of experts or other agents of the railroad commissioners, a sum not exceeding thirty-nine hundred dollars.
- Rent, messenger, etc.** For rent, care of office, and salary of a messenger for the railroad commissioners, a sum not exceeding thirty-one hundred dollars.
- Books, maps, stationery, etc.** For books, maps, statistics, stationery, incidental and contingent expenses of the railroad commissioners, a sum not exceeding two thousand dollars.
- Taking evidence at inquests.** For expenses in connection with taking evidence given at inquests on deaths by accident upon steam and street railroads, a sum not exceeding two thousand dollars.

SECTION 2. This act shall take effect upon its passage.

Approved January 29, 1896.

Chap. 16. AN ACT MAKING APPROPRIATIONS FOR SALARIES AND EXPENSES IN THE STATE LIBRARY.

Be it enacted, etc., as follows :

- Appropriations.** SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, to meet expenses for the year ending on the thirty-first day of December in the year eighteen hundred and ninety-six, to wit : —
- State librarian.** For the salary of the state librarian, three thousand dollars.
- Purchase of books.** For the purchase of books for the state library, five thousand dollars.
- Clerical assistance.** For such clerical assistance in the state library as may be necessary, a sum not exceeding thirty-five hundred dollars.
- Index to current events.** For preparing an index to current events and such other matters as may be deemed important by the trustees and librarian, contained in the newspapers of the day, a sum not exceeding one thousand dollars.

For contingent expenses in the state library, to be ex- Expenses.
pended under the direction of the trustees and librarian, a
sum not exceeding eighteen hundred dollars.

SECTION 2. This act shall take effect upon its passage.

Approved January 29, 1896.

AN ACT MAKING APPROPRIATIONS FOR SALARIES AND EXPENSES Chap. 17.
IN THE DEPARTMENT OF THE TAX COMMISSIONER.

Be it enacted, etc., as follows:

SECTION 1. The sums hereinafter mentioned are Appropriations.
appropriated, to be paid out of the treasury of the Com-
monwealth from the ordinary revenue, for the purposes
specified, to meet expenses for the year ending on the
thirty-first day of December in the year eighteen hundred
and ninety-six, to wit: —

For the salary of the tax commissioner and commis- Tax commis-
sioner.
sioner of corporations, thirty-five hundred dollars.

For the salary of the first clerk in the department of the First clerk.
tax commissioner, two thousand dollars.

For the salary of the second clerk in the department of Second clerk.
the tax commissioner, fifteen hundred dollars.

For such additional clerical assistance as the tax com- Clerical
assistance.
missioner may find necessary for the despatch of public
business, a sum not exceeding sixteen thousand dollars.

For incidental and contingent expenses of the tax com- Expenses.
missioner and commissioner of corporations, a sum not
exceeding thirty-four hundred dollars.

For expenses of the state valuation, under the direction State valuation.
of the tax commissioner, a sum not exceeding three thou-
sand dollars.

SECTION 2. This act shall take effect upon its passage.

Approved January 29, 1896.

AN ACT MAKING APPROPRIATIONS FOR SALARIES AND EXPENSES Chap. 18.
IN THE OFFICE OF THE INSURANCE COMMISSIONER.

Be it enacted, etc., as follows:

SECTION 1. The sums hereinafter mentioned are ap- Appropriations.
propriated, to be paid out of the treasury of the Com-
monwealth from the ordinary revenue, for the purposes
specified, to meet expenses for the year ending on the
thirty-first day of December in the year eighteen hundred
and ninety-six, to wit: —

Insurance commissioner.	For the salary of the insurance commissioner, thirty-five hundred dollars.
Deputy.	For the salary of the deputy insurance commissioner, twenty-five hundred dollars.
Actuary.	For the salary of the actuary of the insurance commissioner, two thousand dollars.
Chief clerk.	For the salary of the chief clerk of the insurance commissioner, two thousand dollars.
Second clerk.	For the salary of the second clerk of the insurance commissioner, fifteen hundred dollars.
Third clerk.	For the salary of the third clerk of the insurance commissioner, twelve hundred dollars.
Additional clerks, etc.	For such additional clerks and assistants as the insurance commissioner may find necessary for the despatch of public business, a sum not exceeding nineteen thousand dollars.
Expenses.	For incidental and contingent expenses of the insurance commissioner, a sum not exceeding forty-five hundred dollars.

SECTION 2. This act shall take effect upon its passage.

Approved January 31, 1896.

Chap. 19. AN ACT MAKING APPROPRIATIONS FOR SALARIES AND EXPENSES IN THE OFFICE OF THE CONTROLLER OF COUNTY ACCOUNTS.

Be it enacted, etc., as follows :

Appropriations.	SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, to meet expenses for the year ending on the thirty-first day of December in the year eighteen hundred and ninety-six, to wit :—
Controller of county accounts.	For the salary of the controller of county accounts, twenty-five hundred dollars.
First deputy.	For the salary of the first deputy of the controller of county accounts, eighteen hundred dollars.
Second deputy.	For the salary of the second deputy of the controller of county accounts, fifteen hundred dollars.
Expenses.	For travelling and office expenses of the controller of county accounts, and of his deputies, a sum not exceeding fifteen hundred dollars.

SECTION 2. This act shall take effect upon its passage.

Approved January 31, 1896.

AN ACT MAKING APPROPRIATIONS FOR SALARY AND EXPENSES OF THE COMMISSIONER OF PUBLIC RECORDS. *Chap. 20.*

Be it enacted, etc., as follows :

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, to meet expenses for the year ending on the thirty-first day of December in the year eighteen hundred and ninety-six, to wit : — Appropriations.

For the salary of the commissioner of public records, twenty-five hundred dollars. Commissioner of public records.

For travelling, clerical and other necessary expenses of the commissioner of public records, a sum not exceeding twenty-three hundred dollars. Expenses.

SECTION 2. This act shall take effect upon its passage.

Approved January 31, 1896.

AN ACT MAKING APPROPRIATIONS FOR THE MAINTENANCE OF THE JUDICIAL DEPARTMENT OF THE COMMONWEALTH DURING THE PRESENT YEAR. *Chap. 21.*

Be it enacted, etc., as follows :

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, to meet expenses for the year ending on the thirty-first day of December in the year eighteen hundred and ninety-six, to wit : — Appropriations.

SUPREME JUDICIAL COURT.

For travelling expenses of the chief justice of the supreme judicial court, five hundred dollars. Supreme judicial court, chief justice.

For travelling expenses of the six associate justices of the supreme judicial court, three thousand dollars. Associate justices.

For the salary of the clerk of the supreme judicial court, three thousand dollars. Clerk.

For clerical assistance to the clerk of the supreme judicial court, five hundred dollars. Clerical assistance to clerk.

For clerical assistance to the justices of the supreme judicial court, a sum not exceeding twenty-five hundred dollars. Clerical assistance to justices.

Expenses.

For expenses of the supreme judicial court, a sum not exceeding two thousand dollars.

Reporter of decisions.

For the salary of the reporter of decisions of the supreme judicial court, four thousand dollars; and for clerk hire and incidental expenses of said reporter, a sum not exceeding two thousand dollars.

Officers and messenger.

For the salaries of the officers and messenger of the supreme judicial court, twenty-four hundred dollars.

Clerk for Suffolk.

For the salary of the clerk of the supreme judicial court for the county of Suffolk, fifteen hundred dollars.

SUPERIOR COURT.**Superior court, chief justice.**

For the salary and travelling expenses of the chief justice of the superior court, sixty-five hundred dollars.

Associate justices.

For the salaries and travelling expenses of the fifteen associate justices of the superior court, ninety thousand dollars.

COURTS OF PROBATE AND INSOLVENCY.**Probate and insolvency judges, Suffolk.**

For the salaries of the two judges of probate and insolvency for the county of Suffolk, five thousand dollars each.

Middlesex.

For the salary of the senior judge of probate and insolvency for the county of Middlesex, forty-five hundred dollars; and for the salary of the junior judge of probate and insolvency for said county, four thousand dollars.

Worcester.

For the salary of the judge of probate and insolvency for the county of Worcester, thirty-five hundred dollars.

Essex.

For the salary of the judge of probate and insolvency for the county of Essex, thirty-seven hundred dollars.

Norfolk.

For the salary of the judge of probate and insolvency for the county of Norfolk, twenty-eight hundred dollars.

Bristol.

For the salary of the judge of probate and insolvency for the county of Bristol, three thousand dollars.

Plymouth.

For the salary of the judge of probate and insolvency for the county of Plymouth, two thousand dollars.

Berkshire.

For the salary of the judge of probate and insolvency for the county of Berkshire, eighteen hundred dollars.

Hampden.

For the salary of the judge of probate and insolvency for the county of Hampden, three thousand dollars.

Hampshire.

For the salary of the judge of probate and insolvency for the county of Hampshire, sixteen hundred dollars.

Franklin.

For the salary of the judge of probate and insolvency for the county of Franklin, fifteen hundred dollars.

For the salary of the judge of probate and insolvency Barnstable.
for the county of Barnstable, thirteen hundred dollars.

For the salary of the judge of probate and insolvency Nantucket.
for the county of Nantucket, seven hundred dollars.

For the salary of the judge of probate and insolvency Dukes county.
for the county of Dukes County, seven hundred dol-
lars.

For compensation of judges of probate and insolvency In case of sick-
acting for judges of probate and insolvency in other ness or vacancy.
counties when the judge of said county is sick or the
office is vacant, a sum not exceeding three thousand
dollars.

For the salary of the register of probate and insolvency Register,
for the county of Suffolk, five thousand dollars. Suffolk.

For the salary of the register of probate and insolvency Middlesex.
for the county of Middlesex, four thousand dollars.

For the salary of the register of probate and insolvency Essex.
for the county of Essex, thirty-three hundred dollars.

For the salary of the register of probate and insolvency Worcester.
for the county of Worcester, three thousand dollars.

For the salary of the register of probate and insolvency Norfolk.
for the county of Norfolk, twenty-three hundred dol-
lars.

For the salary of the register of probate and insolvency Bristol.
for the county of Bristol, twenty-five hundred dollars.

For the salary of the register of probate and insolvency Plymouth.
for the county of Plymouth, eighteen hundred dollars.

For the salary of the register of probate and insolvency Hampshire.
for the county of Hampshire, sixteen hundred dollars.

For the salary of the register of probate and insolvency Hampden.
for the county of Hampden, twenty-five hundred dollars.

For the salary of the register of probate and insolvency Berkshire.
for the county of Berkshire, eighteen hundred dollars.

For the salary of the register of probate and insolvency Franklin.
for the county of Franklin, fifteen hundred dollars.

For the salary of the register of probate and insolvency Barnstable.
for the county of Barnstable, thirteen hundred dollars.

For the salary of the register of probate and insolvency Nantucket.
for the county of Nantucket, seven hundred dollars.

For the salary of the register of probate and insolvency Dukes county.
for the county of Dukes County, seven hundred dollars.

For the salary of the assistant register of probate and Assistant
insolvency for the county of Suffolk, twenty-eight hun- register,
dred dollars. Suffolk.

- Middlesex.** For the salary of the assistant register of probate and insolvency for the county of Middlesex, two thousand dollars.
- Worcester.** For the salary of the assistant register of probate and insolvency for the county of Worcester, eighteen hundred dollars.
- Essex.** For the salary of the assistant register of probate and insolvency for the county of Essex, eighteen hundred dollars.
- Norfolk.** For the salary of the assistant register of probate and insolvency for the county of Norfolk, twelve hundred dollars.
- Franklin.** For the salary of the assistant register of probate and insolvency for the county of Franklin, five hundred dollars.
- Clerk, Suffolk.** For the salary of the clerk of the register of probate and insolvency for the county of Suffolk, twelve hundred dollars.
- Clerical assistance, Suffolk.** For extra clerical assistance to the register of probate and insolvency for the county of Suffolk, a sum not exceeding thirty-three hundred dollars.
- Middlesex.** For extra clerical assistance to the register of probate and insolvency for the county of Middlesex, a sum not exceeding thirty-five hundred dollars.
- Essex.** For extra clerical assistance to the register of probate and insolvency for the county of Essex, a sum not exceeding twenty-five hundred dollars.
- Bristol.** For extra clerical assistance to the register of probate and insolvency for the county of Bristol, a sum not exceeding four hundred dollars.
- Worcester.** For extra clerical assistance to the register of probate and insolvency for the county of Worcester, a sum not exceeding twenty-three hundred and fifty dollars.
- Plymouth.** For extra clerical assistance to the register of probate and insolvency for the county of Plymouth, a sum not exceeding five hundred dollars.
- In the several counties except Franklin and Suffolk.** For extra clerical assistance to the courts of probate and insolvency in the several counties of the Commonwealth, excepting Franklin and Suffolk counties, a sum not exceeding eighty-five hundred dollars.
- Expenses.** For expenses of courts of probate and insolvency, a sum not exceeding twenty-five hundred dollars.

DISTRICT ATTORNEYS.

For the salary of the district attorney for Suffolk district, five thousand dollars.	District attorney, Suffolk.
For the salary of the first assistant district attorney for Suffolk district, thirty-three hundred dollars.	First assistant.
For the salary of the second assistant district attorney for Suffolk district, twenty-five hundred dollars.	Second assistant.
For the salary of the clerk of the district attorney for Suffolk district, eighteen hundred dollars.	Clerk.
For the salary of the district attorney for the northern district, twenty-four hundred dollars.	District attorney, northern district.
For the salary of the assistant district attorney for the northern district, fifteen hundred dollars.	Assistant.
For the salary of the district attorney for the eastern district, twenty-four hundred dollars.	Eastern district.
For the salary of the assistant district attorney for the eastern district, twelve hundred dollars.	Assistant.
For the salary of the district attorney for the southeastern district, twenty-one hundred dollars.	Southeastern district.
For the salary of the assistant district attorney for the southeastern district, twelve hundred dollars.	Assistant.
For the salary of the district attorney for the southern district, twenty-two hundred dollars.	Southern district.
For the salary of the district attorney for the middle district, twenty-four hundred dollars.	Middle district.
For the salary of the assistant district attorney for the middle district, twelve hundred dollars.	Assistant.
For the salary of the district attorney for the western district, twenty-one hundred dollars.	Western district.
For the salary of the district attorney for the northwestern district, thirteen hundred and fifty dollars.	Northwestern district.

SECTION 2. This act shall take effect upon its passage.

Approved January 31, 1896.

AN ACT MAKING APPROPRIATIONS FOR SALARIES AND EXPENSES IN THE DEPARTMENT OF THE ADJUTANT GENERAL, AND FOR SUNDRY OTHER MILITARY EXPENSES.

Chap. 22.

Be it enacted, etc., as follows:

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, to meet expenses for the year ending on the

Appropriations.

thirty-first day of December in the year eighteen hundred and ninety-six, to wit : —

Adjutant general.	For the salary of the adjutant general, thirty-six hundred dollars.
First clerk.	For the salary of the first clerk in the adjutant general's department, twenty-two hundred dollars.
Second clerk.	For the salary of the second clerk in the adjutant general's department, sixteen hundred dollars.
Additional clerk.	For the salary of an additional clerk in the adjutant general's department, two thousand dollars.
Extra clerks.	For the salaries of the two extra clerks in the adjutant general's department, twelve hundred dollars each.
Messenger.	For the salary of the messenger in the adjutant general's department, eight hundred dollars.
Clerical assistance, etc.	For such additional clerical assistance as the adjutant general may deem necessary, and for compensation of employees at the state arsenal, a sum not exceeding sixty-three hundred dollars.
Militia, compensation.	For compensation of officers and men of the volunteer militia, a sum not exceeding one hundred and eight thousand dollars.
Transportation.	For transportation of officers and men of the volunteer militia, when on military duty, a sum not exceeding twenty thousand dollars.
Expenses.	For incidental and contingent expenses in the adjutant general's department, a sum not exceeding four thousand dollars.
Rent of armories, etc.	For rent of brigade and battalion headquarters and company armories, a sum not exceeding thirty-seven thousand dollars.
Quartermasters' supplies.	For quartermasters' supplies, a sum not exceeding fifteen thousand dollars.
Expenses.	For incidental and contingent expenses of the quartermaster general's department, a sum not exceeding five thousand dollars.
Camp ground.	For grading and care of the camp ground of the Commonwealth at Framingham, a sum not exceeding one thousand dollars.
Military accounts.	For military accounts in connection with the volunteer militia, not otherwise provided for, a sum not exceeding four thousand dollars.
Record of officers, sailors, etc.	For expenses in connection with the record of Massachusetts officers, sailors and marines, a sum not exceeding two thousand dollars.

For expenses of the care, heating, lighting and furnishing of the new armories recently erected in certain cities of the Commonwealth, for the use of the volunteer militia, a sum not exceeding twenty thousand dollars. Care, etc., of armories.

For allowance and repairs of clothing of the volunteer militia, a sum not exceeding nine thousand dollars. Clothing.

For expenses in connection with the rifle practice of the volunteer militia, a sum not exceeding fifteen thousand dollars. Rifle practice.

For the salary of the surgeon general, twelve hundred dollars. Surgeon general.

For medical supplies for the use of the volunteer militia, and for incidental and contingent expenses of the surgeon general, a sum not exceeding two thousand dollars. Medical supplies, etc.

Any sums of money received under the provisions of section eighty-seven of chapter three hundred and sixty-seven of the acts of the year eighteen hundred and ninety-three, and from the sale of grass at the camp ground at Framingham during the year eighteen hundred and ninety-six, may be expended by the quartermaster general during the present year, under the direction of the governor and council, for the construction and repair of buildings and other structures. Sale of grass at state camp ground, etc.

SECTION 2. This act shall take effect upon its passage.

Approved January 31, 1896.

AN ACT MAKING APPROPRIATIONS FOR SALARIES AND EXPENSES OF THE INSPECTORS OF GAS METERS *Chap. 23.*

Be it enacted, etc., as follows:

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, to meet expenses for the year ending on the thirty-first day of December in the year eighteen hundred and ninety-six, to wit:— Appropriations.

For the salary of the inspector of gas meters, two thousand dollars. Inspector of gas meters.

For the salary of the assistant inspector of gas meters, twelve hundred dollars. Assistant.

For travelling and incidental expenses of the inspector and assistant inspector of gas meters, a sum not exceeding six hundred and fifty dollars. Expenses.

For such additional apparatus as the inspector of gas Additional apparatus.

meters may find necessary, a sum not exceeding two hundred and fifty dollars.

SECTION 2. This act shall take effect upon its passage.

Approved January 31, 1896.

Chap. 24. AN ACT MAKING APPROPRIATIONS FOR EXPENSES OF THE BOARD OF LIBRARY COMMISSIONERS.

Be it enacted, etc., as follows :

Appropriations. SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, to meet expenses for the year ending on the thirty-first day of December in the year eighteen hundred and ninety-six, to wit :—

Free public libraries.

To carry out the provisions of the act to promote the establishment and efficiency of free public libraries, under the direction of the board of library commissioners, a sum not exceeding three thousand dollars.

Expenses

For clerical assistance, incidental and necessary expenses of the board of library commissioners, a sum not exceeding five hundred dollars.

SECTION 2. This act shall take effect upon its passage.

Approved January 31, 1896.

Chap. 25. AN ACT MAKING APPROPRIATIONS FOR SUNDRY AGRICULTURAL EXPENSES.

Be it enacted, etc., as follows :

Appropriations. SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, to meet expenses for the year ending on the thirty-first day of December in the year eighteen hundred and ninety-six, to wit :—

**Board of agriculture, secretary.
First clerk.**

For the salary of the secretary of the state board of agriculture, twenty-five hundred dollars.

Second clerk.

For the salary of the first clerk of the secretary of the state board of agriculture, sixteen hundred dollars.

Clerical assistance, etc.

For the salary of the second clerk of the secretary of the state board of agriculture, twelve hundred dollars.

For other clerical assistance in the office of the secretary of the state board of agriculture, and for lectures before

the board at its annual and other meetings, a sum not exceeding eight hundred dollars.

For travelling and other necessary expenses of the members of the state board of agriculture, a sum not exceeding nineteen hundred dollars.

Expenses of members.

For incidental and contingent expenses of the state board of agriculture, a sum not exceeding eight hundred dollars.

Expenses of board.

For travelling and other necessary expenses of the secretary of the state board of agriculture, a sum not exceeding five hundred dollars.

Expenses of secretary.

For disseminating useful information in agriculture by means of lectures at farmers' institutes, a sum not exceeding two thousand dollars.

Farmers' institutes.

For bounties to agricultural societies, a sum not exceeding twenty-one thousand dollars.

Bounties.

For maintaining an agricultural experiment station at the Massachusetts Agricultural College in the town of Amherst, the sum of ten thousand dollars.

Agricultural experiment station.

For the Massachusetts Agricultural College, for the purpose of providing eighty free scholarships, the sum of ten thousand dollars.

Agricultural College, free scholarships.

For the Massachusetts Agricultural College, the sum of ten thousand dollars, to be expended under the direction of the trustees for the following purposes, to wit: — Five thousand dollars for the establishment of a labor fund to assist needy students of said college, and five thousand dollars to provide the theoretical and practical education required by its charter and the laws of the United States relating thereto.

Agricultural College, labor fund, etc.

For travelling and other necessary expenses of the trustees of the Massachusetts Agricultural College, a sum not exceeding eight hundred dollars.

Expenses.

For the salary of the executive officer of the state dairy bureau, five hundred dollars.

Dairy bureau, executive officer.

For the salary of an assistant to the secretary of the state board of agriculture, to assist in the work of the state dairy bureau, twelve hundred dollars.

Assistant to secretary of board of agriculture.

For assistants, experts, chemists, agents, and other necessary expenses of the state dairy bureau, a sum not exceeding seven thousand dollars.

Dairy bureau, expenses.

For purchasing nails or spikes to be driven into certain trees designated by the authorities of cities and towns, for the purpose of preserving ornamental and shade trees

Preservation of shade trees, etc.

on public highways, a sum not exceeding two hundred dollars.

SECTION 2. This act shall take effect upon its passage.

Approved January 31, 1896.

Chap. 26. AN ACT MAKING AN APPROPRIATION FOR THE MASSACHUSETTS SCHOOL FUND.

Be it enacted, etc., as follows :

Massachusetts
School Fund.

SECTION 1. The sum of one hundred thousand dollars is hereby appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the Massachusetts School Fund, as provided for by chapter ninety of the resolves of the year eighteen hundred and ninety-four.

SECTION 2. This act shall take effect upon its passage.

Approved January 31, 1896.

Chap. 27. AN ACT MAKING AN APPROPRIATION FOR THE MASSACHUSETTS STATE FIREMEN'S ASSOCIATION.

Be it enacted, etc., as follows :

Massachusetts
State Firemen's
Association.

SECTION 1. The sum of ten thousand dollars is hereby appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the Massachusetts State Firemen's Association, as provided for by chapter one hundred and seventy-seven of the acts of the year eighteen hundred and ninety-two.

SECTION 2. This act shall take effect upon its passage.

Approved January 31, 1896.

Chap. 28. AN ACT MAKING APPROPRIATIONS FOR THE PAYMENT OF STATE AND MILITARY AID, AND FOR EXPENSES IN CONNECTION THEREWITH.

Be it enacted, etc., as follows :

Appropriations.

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, to meet expenses for the year ending on the thirty-first day of December in the year eighteen hundred and ninety-six, to wit :—

State and
military aid.

For reimbursement to cities and towns for money paid on account of state and military aid to Massachusetts

volunteers and their families, a sum not exceeding six hundred and twenty-seven thousand dollars, the same to be paid on or before the first day of December in the year eighteen hundred and ninety-six.

For the salary of the commissioner of state aid appointed by the governor and council, twenty-five hundred dollars. Commissioner of state aid.

For clerical assistance, salaries and expenses of agents, and other expenses of the commissioners of state aid, a sum not exceeding eight thousand two hundred and sixty dollars. Clerical assistance, etc.

For postage, printing and other necessary expenses in carrying out the provisions of the state and military aid laws, a sum not exceeding five hundred dollars. Expenses.

SECTION 2. This act shall take effect upon its passage.

Approved January 31, 1896.

AN ACT MAKING AN APPROPRIATION FOR THE PAYMENT OF PREMIUMS ON SECURITIES PURCHASED FOR THE MASSACHUSETTS SCHOOL FUND. Chap. 29.

Be it enacted, etc., as follows:

SECTION 1. A sum not exceeding fifty thousand dollars is hereby appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the payment by the treasurer and receiver general of premiums on securities purchased for the Massachusetts School Fund, as provided for by chapter three hundred and thirty-five of the acts of the year eighteen hundred and ninety. Massachusetts School Fund, premiums on securities.

SECTION 2. This act shall take effect upon its passage.

Approved January 31, 1896.

AN ACT MAKING AN APPROPRIATION FOR THE SINKING FUND OF THE ABOLITION OF GRADE CROSSINGS LOAN. Chap. 30.

Be it enacted, etc., as follows:

SECTION 1. The sum hereinafter mentioned is appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purpose specified, to meet expenses for the year ending on the thirty-first day of December in the year eighteen hundred and ninety-six, to wit: — Appropriation.

For the sinking fund of the Abolition of Grade Crossings Loan. Abolition of Grade Crossings Loan.

ings Loan, as provided for in chapter four hundred and twenty-eight of the acts of the year eighteen hundred and ninety, being the estimate of the treasurer and receiver general, the sum of thirty-one thousand two hundred dollars.

SECTION 2. This act shall take effect upon its passage.

Approved January 31, 1896.

Chap. 31. AN ACT MAKING AN APPROPRIATION FOR THE PRISON AND HOSPITAL LOAN SINKING FUND.

Be it enacted, etc., as follows:

Prison and
Hospital Loan
Sinking Fund.

SECTION 1. The sum of forty-one hundred and forty dollars is hereby appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the Prison and Hospital Loan Sinking Fund, as provided for by chapters four hundred and eighty-three and five hundred and three of the acts of the year eighteen hundred and ninety-five, being the estimate of the treasurer and receiver general.

SECTION 2. This act shall take effect upon its passage.

Approved January 31, 1896.

Chap. 32. AN ACT MAKING APPROPRIATIONS FOR THE SALARY AND EXPENSES OF THE GENERAL SUPERINTENDENT OF PRISONS.

Be it enacted, etc., as follows:

Appropriations.

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, to meet expenses for the year ending on the thirty-first day of December in the year eighteen hundred and ninety-six, to wit:—

General
superintendent
of prisons.

For the salary of the general superintendent of prisons, thirty-five hundred dollars.

Clerical
assistance.

For clerical assistance to the general superintendent of prisons, a sum not exceeding one thousand dollars.

Travelling
expenses.

For travelling expenses of the general superintendent of prisons, a sum not exceeding five hundred dollars.

Expenses.

For incidental and contingent expenses of the general superintendent of prisons, a sum not exceeding one thousand dollars.

SECTION 2. This act shall take effect upon its passage.

Approved January 31, 1896.

AN ACT MAKING APPROPRIATIONS FOR SALARIES AND EXPENSES *Chap. 33.*
IN THE OFFICE OF THE STATE BOARD OF HEALTH.

Be it enacted, etc., as follows :

SECTION 1. The sums hereinafter mentioned are ap- Appropriations.
propriated, to be paid out of the treasury of the Com-
monwealth from the ordinary revenue, for the purposes
specified, to meet expenses for the year ending on the
thirty-first day of December in the year eighteen hundred
and ninety-six, to wit : —

For the salary of the secretary of the state board of State board of
health, three thousand dollars. health,
secretary.

For the general work of the state board of health, in- Expenses.
cluding all necessary travelling expenses, a sum not ex-
ceeding thirteen thousand dollars.

For salaries and expenses in connection with the inspec- Inspection of
tion of milk, food and drugs, a sum not exceeding eleven milk, food and
thousand five hundred dollars. drugs.

SECTION 2. This act shall take effect upon its passage.

Approved January 31, 1896.

AN ACT MAKING APPROPRIATIONS FOR SALARIES AND EXPENSES IN *Chap. 34.*
THE OFFICE OF THE STATE PENSION AGENT.

Be it enacted, etc., as follows :

SECTION 1. The sums hereinafter mentioned are ap- Appropriations.
propriated, to be paid out of the treasury of the Com-
monwealth from the ordinary revenue, for the purposes
specified, to meet expenses for the year ending on the
thirty-first day of December in the year eighteen hundred
and ninety-six, to wit : —

For the salary of the state pension agent, two thousand State pension
dollars. agent.

For clerical assistance, travelling expenses, rent, care Expenses.
of rooms and other necessary expenses of the state pen-
sion agent, a sum not exceeding four thousand dollars.

SECTION 2. This act shall take effect upon its passage.

Approved January 31, 1896.

AN ACT MAKING AN APPROPRIATION FOR THE MASSACHUSETTS *Chap. 35.*
SCHOOL FOR THE FEEBLE-MINDED.

Be it enacted, etc., as follows :

SECTION 1. The sum of twenty-five thousand dollars Massachusetts
is hereby appropriated, to be paid out of the treasury of Feeble-minded.

the Commonwealth from the ordinary revenue, to the Massachusetts School for the Feeble-minded, as provided for by chapter one hundred and twenty-three of the acts of the year eighteen hundred and eighty-seven.

SECTION 2. This act shall take effect upon its passage.

Approved January 31, 1896.

Chap. 36. AN ACT MAKING AN APPROPRIATION FOR THE METROPOLITAN PARKS
LOAN SINKING FUND.

Be it enacted, etc., as follows:

Metropolitan
Parks Loan
Sinking Fund.

SECTION 1. The sum of thirty-three hundred and fifty dollars is hereby appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the Metropolitan Parks Loan Sinking Fund, towards retiring the scrip issued, known as series two, as provided for in chapter two hundred and eighty-eight of the acts of the year eighteen hundred and ninety-four, said sum being the estimate of the treasurer and receiver general.

SECTION 2. This act shall take effect upon its passage.

Approved January 31, 1896.

Chap. 37. AN ACT MAKING AN APPROPRIATION FOR THE PERKINS INSTITU-
TION AND MASSACHUSETTS SCHOOL FOR THE BLIND.

Be it enacted, etc., as follows:

Perkins Institu-
tion and
Massachusetts
School for the
Blind.

SECTION 1. The sum of thirty thousand dollars is hereby appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, to the Perkins Institution and Massachusetts School for the Blind, as provided for by chapter nineteen of the resolves of the year eighteen hundred and sixty-nine.

SECTION 2. This act shall take effect upon its passage.

Approved January 31, 1896.

Chap. 38. AN ACT MAKING AN APPROPRIATION FOR THE STATE HIGHWAY
LOAN SINKING FUND.

Be it enacted, etc., as follows:

State Highway
Loan Sinking
Fund.

SECTION 1. The sum of eighteen thousand one hundred and fifty dollars is hereby appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the State Highway Loan Sinking Fund, as provided for in section eight of chapter four hundred

and ninety-seven of the acts of the year eighteen hundred and ninety-four, said sum being the estimate of the treasurer and receiver general.

SECTION 2. This act shall take effect upon its passage.

Approved January 31, 1896.

AN ACT MAKING AN APPROPRIATION FOR EXPENSES IN CONNECTION WITH THE EXTERMINATION OF CONTAGIOUS DISEASES AMONG HORSES, CATTLE AND OTHER ANIMALS.

Chap. 39.

Be it enacted, etc., as follows :

SECTION 1. The sum of fifty thousand dollars is hereby appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purpose of meeting expenses in connection with the extermination of contagious diseases among horses, cattle and other animals, during the year ending on the thirty-first day of December in the year eighteen hundred and ninety-six.

Contagious diseases among animals.

SECTION 2. This act shall take effect upon its passage.

Approved January 31, 1896.

AN ACT MAKING APPROPRIATIONS FOR PRINTING AND BINDING PUBLIC DOCUMENTS, PURCHASING PAPER AND PUBLISHING LAWS.

Chap. 40.

Be it enacted, etc., as follows :

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, to meet expenses for the year ending on the thirty-first day of December in the year eighteen hundred and ninety-six, to wit: —

Appropriations.

For printing and binding the series of public documents, under the direction of the secretary of the Commonwealth, a sum not exceeding fifty-five thousand dollars.

Printing and binding public documents.

For printing the pamphlet edition of the acts and resolves of the present year, for general distribution in the Commonwealth, a sum not exceeding four thousand dollars.

Pamphlet edition, acts and resolves.

For printing and binding the blue book edition of the acts and resolves of the present year, with the governor's message and other matters in the usual form, a sum not exceeding seven thousand dollars.

Blue book.

Newspaper
publication of
laws, etc.

For the newspaper publication of the general laws and all information intended for the public, a sum not exceeding five hundred dollars.

Reports of
decisions of
supreme judi-
cial court.

For reports of decisions of the supreme judicial court, including copies to be furnished to newly incorporated towns by the secretary of the Commonwealth, a sum not exceeding three thousand dollars.

Purchase of
paper.

For the purchase of paper for the Commonwealth, used in the execution of the contract for the state printing, under the direction of the secretary of the Commonwealth, a sum not exceeding thirty thousand dollars.

Assessors'
books and
blanks.

For assessors' books and blanks furnished cities and towns by the secretary of the Commonwealth, a sum not exceeding fifteen hundred dollars.

Registration
books and
blanks.

For registration books and blanks, indexing returns and editing registration report, a sum not exceeding twenty-five hundred dollars.

Printing, etc.,
of ballots.

For printing and distributing at the public expense ballots cast at elections for national, state, district and county officers, in the cities and towns in the Commonwealth, a sum not exceeding ten thousand dollars.

Blank forms for
town officers,
etc.

For blank forms for town officers, election laws and instructions on all matters relating to elections, expense of advertising the state ticket, all under the direction of the secretary of the Commonwealth, a sum not exceeding thirty-five hundred dollars.

Blanks to regis-
trars of voters.

For furnishing suitable blanks to registrars of voters by the secretary of the Commonwealth, a sum not exceeding five hundred dollars.

Early laws.

For collating, indexing and publishing, in a style similar to that in which the blue books, so-called, are now published, all the acts and resolves of the general court from the adoption of the constitution to the year eighteen hundred and six, a sum not exceeding seven thousand dollars.

SECTION 2. This act shall take effect upon its passage.

Approved January 31, 1896.

Chap. 41. AN ACT MAKING AN APPROPRIATION FOR THE REMOVAL OF WRECKS FROM TIDE WATERS.

Be it enacted, etc., as follows:

Removal of
obstructions
from tide
waters.

SECTION 1. The sum of five thousand dollars is hereby appropriated, to be paid out of the treasury of the Com-

monwealth from the ordinary revenue, for expenses in connection with the removal of wrecks and other obstructions from tide waters, as provided for in section nine of chapter two hundred and sixty of the acts of the year eighteen hundred and eighty-three, during the year ending on the thirty-first day of December in the year eighteen hundred and ninety-six.

SECTION 2. This act shall take effect upon its passage.

Approved January 31, 1896.

AN ACT MAKING APPROPRIATIONS FOR COMPENSATION AND EXPENSES OF THE BALLOT LAW COMMISSION. Chap. 42.

Be it enacted, etc., as follows :

SECTION 1. The sums hereinafter mentioned are ap- Appropriations.
propriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, to meet expenses for the year ending on the thirty-first day of December in the year eighteen hundred and ninety-six, to wit :—

For compensation of the ballot law commission, a sum Ballot law com-
mission.
not exceeding nine hundred dollars.

For such expenses of the ballot law commission as may Expenses.
be necessary, a sum not exceeding six hundred dollars.

SECTION 2. This act shall take effect upon its passage.

Approved January 31, 1896.

AN ACT MAKING APPROPRIATIONS FOR SALARIES AND EXPENSES IN THE DEPARTMENT OF THE COMMISSIONERS OF PRISONS, AND FOR SUNDRY REFORMATORY EXPENSES. Chap. 43.

Be it enacted, etc., as follows :

SECTION 1. The sums hereinafter mentioned are ap- Appropriations.
propriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, to meet expenses for the year ending on the thirty-first day of December in the year eighteen hundred and ninety-six, to wit :—

For the salary of the secretary of the commissioners Commissioners
of prisons,
secretary.
of prisons, twenty-five hundred dollars.

For clerical assistance in the office of the commis- Clerical
assistance.
sioners of prisons, a sum not exceeding twenty-eight hundred dollars.

Agents. For the salaries of the agents of the commissioners of prisons, twenty-four hundred dollars.

Travelling expenses. For travelling expenses of the commissioners of prisons, and of the secretary and agents of said commissioners, a sum not exceeding twenty-five hundred dollars.

Expenses. For incidental and contingent expenses of the commissioners of prisons, a sum not exceeding twelve hundred dollars.

Agent for aiding discharged female prisoners. For the salary of the agent for aiding discharged female prisoners, a sum not exceeding seven hundred and seventy-five dollars.

Expenses. For expenses of the agent for aiding female prisoners discharged from the prisons of the Commonwealth, including assistance rendered to said prisoners, a sum not exceeding three thousand dollars.

Aiding discharged prisoners. For aiding prisoners discharged from the Massachusetts reformatory, a sum not exceeding five thousand dollars.

Agent. For the salary of the agent for aiding prisoners discharged from the state prison, twelve hundred dollars.

Expenses. For expenses of the agent for aiding prisoners discharged from the state prison, to be used in rendering assistance to said prisoners, a sum not exceeding three thousand dollars.

Removal of prisoners. For expenses incurred in removing prisoners to and from state and county prisons, a sum not exceeding nine hundred dollars.

SECTION 2. This act shall take effect upon its passage.

Approved January 31, 1896.

Chap. 44. AN ACT MAKING APPROPRIATIONS FOR SALARIES AND EXPENSES OF THE DISTRICT POLICE.

Be it enacted, etc., as follows:

Appropriations. SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, to meet expenses for the year ending on the thirty-first day of December in the year eighteen hundred and ninety-six, to wit:—

District police, chief. For the salary of the chief of the district police, a sum not exceeding twenty-five hundred dollars.

First clerk. For the salary of the first clerk in the office of the chief of the district police, fifteen hundred dollars.

For the salary of the second clerk in the office of the chief of the district police, one thousand dollars. Second clerk.

For the compensation of the forty-two members of the district police, a sum not exceeding sixty-two thousand dollars. District police.

For travelling expenses actually paid by members of the district police, a sum not exceeding twenty thousand eight hundred dollars. Travelling expenses.

For incidental and contingent office expenses of the chief and members of the district police, a sum not exceeding two thousand dollars. Expenses.

SECTION 2. This act shall take effect upon its passage.

Approved January 31, 1896.

AN ACT MAKING AN APPROPRIATION FOR THE SALARY OF THE Chap. 45.
ASSAYER AND INSPECTOR OF LIQUORS.

Be it enacted, etc., as follows:

SECTION 1. The sum of twelve hundred dollars is hereby appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the salary of the assayer and inspector of liquors, for the year ending on the thirty-first day of December in the year eighteen hundred and ninety-six. Assayer and inspector of liquors.

SECTION 2. This act shall take effect upon its passage.

Approved January 31, 1896.

AN ACT MAKING AN APPROPRIATION FOR CURRENT EXPENSES AT THE MASSACHUSETTS HOSPITAL FOR DIPSO MANIACS AND INEBRIATES. Chap. 46.

Be it enacted, etc., as follows:

SECTION 1. The sum of twenty thousand dollars is hereby appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, to pay necessary expenses, in excess of any receipts, at the Massachusetts hospital for dipsomaniacs and inebriates, during the year ending on the thirty-first day of December in the year eighteen hundred and ninety-six. Massachusetts hospital for dipsomaniacs and inebriates.

SECTION 2. This act shall take effect upon its passage.

Approved January 31, 1896.

Chap. 47. AN ACT MAKING AN APPROPRIATION FOR THE MEDFIELD INSANE ASYLUM LOAN SINKING FUND.

Be it enacted, etc., as follows:

Medfield Insane
Asylum Loan
Sinking Fund.

SECTION 1. The sum of twenty-five thousand eight hundred dollars is hereby appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the Medfield Insane Asylum Loan Sinking Fund, as provided for in section one of chapter three hundred and ninety-one of the acts of the year eighteen hundred and ninety-four, said sum being the estimate of the treasurer and receiver general.

SECTION 2. This act shall take effect upon its passage.

Approved January 31, 1896.

Chap. 48. AN ACT MAKING APPROPRIATIONS FOR CARRYING OUT THE PROVISIONS OF THE ACT RELATING TO THE EMPLOYMENT OF LABOR IN THE PRISONS OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

Appropriations.

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, to meet expenses for the year ending on the thirty-first day of December in the year eighteen hundred and ninety-six, to wit:—

Industries at
state prison.

For maintaining industries at the state prison, a sum not exceeding one hundred and sixty thousand dollars.

Massachusetts
reformatory.

For maintaining industries at the Massachusetts reformatory, a sum not exceeding fifty thousand dollars.

Reformatory
prison for
women.

For maintaining industries at the reformatory prison for women, a sum not exceeding three thousand dollars.

SECTION 2. This act shall take effect upon its passage.

Approved January 31, 1896.

Chap. 49. AN ACT MAKING APPROPRIATIONS FOR THE SALARIES AND EXPENSES OF THE HARBOR AND LAND COMMISSIONERS.

Be it enacted, etc., as follows:

Appropriations.

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, to meet expenses for the year ending on the

thirty-first day of December in the year eighteen hundred and ninety-six, to wit:—

For the salaries of the harbor and land commissioners, sixty-four hundred dollars.

Harbor and land commissioners.

For compensation and expenses of the engineer, for clerical and other assistance authorized by the harbor and land commissioners, a sum not exceeding six thousand dollars.

Clerical assistance, etc.

For travelling and other necessary expenses of the harbor and land commissioners, a sum not exceeding six hundred dollars.

Travelling expenses, etc.

For incidental and contingent office expenses of the harbor and land commissioners, a sum not exceeding eight hundred dollars.

Office expenses.

For expenses in connection with the care and supervision of the province lands in the town of Provincetown, to be expended under the direction of the harbor and land commissioners, a sum not exceeding thirty-five hundred dollars.

Province lands.

SECTION 2. This act shall take effect upon its passage.

Approved February 6, 1896.

AN ACT MAKING AN APPROPRIATION FOR THE MASSACHUSETTS INSTITUTE OF TECHNOLOGY.

Chap. 50.

Be it enacted, etc., as follows:

SECTION 1. The sum of twenty-seven thousand dollars is hereby appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, to the Massachusetts Institute of Technology, as provided for by chapter seventy of the resolves of the year eighteen hundred and ninety-five.

Massachusetts Institute of Technology.

SECTION 2. This act shall take effect upon its passage.

Approved February 6, 1896.

AN ACT MAKING APPROPRIATIONS FOR THE DISPOSAL OF SEWAGE FROM THE MASSACHUSETTS SCHOOL FOR FEEBLE-MINDED.

Chap. 51.

Be it enacted, etc., as follows:

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, to meet expenses for the year ending on the thirty-first day of December in the year eighteen hundred and ninety-six, to wit:—

Appropriations.

Massachusetts
School for
Feeble-minded.

For the city of Waltham, the sum of sixteen thousand nine hundred and forty-nine dollars and ninety-six cents, being the proportionate assessment upon the Massachusetts School for Feeble-minded for expense of construction of the system of disposal of sewage from said school, as provided for in section two of chapter eighty-three of the acts of the year eighteen hundred and ninety-three.

Sewage disposal.

For the city of Waltham, for the annual assessment due from the Commonwealth towards maintaining and operating said system of sewage disposal, the sum of five hundred twenty-six dollars and eight cents, as provided for in section three of chapter eighty-three of the acts of the year eighteen hundred and ninety-three.

SECTION 2. This act shall take effect upon its passage.

Approved February 6, 1896.

Chap. 52. AN ACT MAKING APPROPRIATIONS FOR THE COMPENSATION OF THE BUILDING COMMITTEE AND EXPENSES OF THE TRUSTEES OF THE MEDFIELD INSANE ASYLUM.

Be it enacted, etc., as follows:

Appropriations.

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, to meet expenses for the year ending on the thirty-first day of December in the year eighteen hundred and ninety-six, to wit: —

Medfield insane
asylum, building
committee.

For the compensation of the building committee of the Medfield insane asylum, sixty-five hundred dollars.

Expenses of
trustees.

For travelling and other necessary expenses of the trustees of the Medfield insane asylum, to include office rent, clerk hire and telephones, postage, stationery and telegrams, a sum not exceeding twenty-six hundred and seventy-five dollars.

SECTION 2. This act shall take effect upon its passage.

Approved February 6, 1896.

Chap. 53. AN ACT TO EXTEND THE CORPORATE EXISTENCE OF THE HANOVER STREET RAILWAY COMPANY.

Be it enacted, etc., as follows:

Time extended.

SECTION 1. The corporate existence of the Hanover Street Railway Company is hereby extended for a further

term of one year, subject to all general laws relating to such corporations.

SECTION 2. This act shall take effect upon its passage.

Approved February 6, 1896.

AN ACT MAKING AN APPROPRIATION FOR THE PAYMENT OF TUITION OF CHILDREN ATTENDING A HIGH SCHOOL OUTSIDE THE TOWN IN WHICH THEY RESIDE.

Chap. 54.

Be it enacted, etc., as follows:

SECTION 1. The sum hereinafter mentioned is ap- Appropriation.
propriated, to be paid out of the treasury of the Com-
monwealth from the ordinary revenue, for the purpose
specified, to meet expenses for the year ending on the
thirty-first day of December in the year eighteen hundred
and ninety-six, to wit:—

For the payment by the Commonwealth of tuition of Tuition of
children in
towns having no
high school.
children attending a high school outside the town in
which they reside, of any town in which a high school or
school of corresponding grade is not maintained, a sum
not exceeding five thousand dollars.

SECTION 2. This act shall take effect upon its passage.

Approved February 6, 1896.

AN ACT MAKING APPROPRIATIONS FOR SALARIES AND EXPENSES
AT THE STATE PRISON.

Chap. 55.

Be it enacted, etc., as follows:

SECTION 1. The sums hereinafter mentioned are ap- Appropriations.
propriated, to be paid out of the treasury of the Com-
monwealth from the ordinary revenue, for the purposes
specified, to meet expenses for the year ending on the
thirty-first day of December in the year eighteen hundred
and ninety-six, to wit:—

For the payment of salaries at the state prison, a sum State prison.
not exceeding seventy-five thousand five hundred dollars.

For current expenses at the state prison, a sum not ex- Expenses.
ceeding eighty-five thousand dollars.

For the necessary repairs to the warden's, deputy Repairs.
warden's and officers' houses, a sum not exceeding five
hundred dollars.

SECTION 2. This act shall take effect upon its passage.

Approved February 6, 1896.

Chap. 56. AN ACT MAKING AN APPROPRIATION FOR THE COMPENSATION OF INSPECTORS OF ANIMALS AND PROVISIONS.

Be it enacted, etc., as follows :

Appropriation.

SECTION 1. The sum hereinafter mentioned is appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purpose specified, to meet expenses for the year ending on the thirty-first day of December in the year eighteen hundred and ninety-six, to wit : —

Inspectors of animals and provisions.

For the compensation of inspectors of animals and provisions, as provided for by chapter four hundred and seventy-six of the acts of the year eighteen hundred and ninety-five, a sum not exceeding ten thousand dollars.

SECTION 2. This act shall take effect upon its passage.

Approved February 6, 1896.

Chap. 57. AN ACT TO AUTHORIZE THE TOWN OF NATICK TO REFUND A PORTION OF ITS INDEBTEDNESS.

Be it enacted, etc., as follows :

May issue bonds, notes or scrip, etc.

SECTION 1. The town of Natick, for the purpose of refunding a portion of its indebtedness at present existing, may issue bonds, notes or scrip to an amount not exceeding one hundred and twenty-five thousand dollars, payable in periods not exceeding thirty years from the date of issue and bearing interest payable semi-annually at a rate not exceeding six per cent. per annum. Said bonds may be sold at public or private sale, and the proceeds shall be used to discharge an equal amount of the existing indebtedness of said town. The provisions of chapter twenty-nine of the Public Statutes and of acts in amendment thereof and in addition thereto shall in all other respects, so far as applicable, apply to the indebtedness authorized by this act and the securities issued therefor.

P. S. 29, etc., to apply.

SECTION 2. This act shall take effect upon its passage.

Approved February 6, 1896.

Chap. 58. AN ACT MAKING APPROPRIATIONS FOR SALARIES AND EXPENSES AT THE MASSACHUSETTS REFORMATORY.

Be it enacted, etc., as follows :

Appropriations.

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Com-

monwealth from the ordinary revenue, for the purposes specified, to meet expenses for the year ending on the thirty-first day of December in the year eighteen hundred and ninety-six, to wit:—

For the payment of the salaries of officers at the Massachusetts reformatory, a sum not exceeding seventy-eight thousand nine hundred dollars. Massachusetts reformatory.

For salaries and wages of instructors, teachers and other employees at the Massachusetts reformatory, a sum not exceeding twenty-four thousand nine hundred dollars. Instructors, teachers, etc.

For current expenses at the Massachusetts reformatory, a sum not exceeding one hundred and eleven thousand dollars. Expenses.

SECTION 2. This act shall take effect upon its passage.

Approved February 6, 1896.

AN ACT MAKING AN APPROPRIATION FOR CURRENT EXPENSES AT THE MEDFIELD INSANE ASYLUM. Chap. 59.

Be it enacted, etc., as follows:

SECTION 1. The sum of fifty thousand dollars is hereby appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the payment of current expenses at the Medfield insane asylum, during the year ending on the thirty-first day of December in the year eighteen hundred and ninety-six. Medfield insane asylum.

SECTION 2. This act shall take effect upon its passage.

Approved February 6, 1896.

AN ACT MAKING APPROPRIATIONS FOR SALARIES AND EXPENSES AT THE REFORMATORY PRISON FOR WOMEN. Chap. 60.

Be it enacted, etc., as follows:

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, to meet expenses for the year ending on the thirty-first day of December in the year eighteen hundred and ninety-six, to wit:— Appropriations.

For the payment of salaries, wages and labor at the reformatory prison for women, a sum not exceeding twenty-five thousand dollars. Reformatory prison for women.

For current expenses at the reformatory prison for women, a sum not exceeding thirty-two thousand dollars. Expenses.

Sewage
disposal.

For the town of Framingham, toward the annual expense of maintaining and operating the system of sewage disposal at the reformatory prison for women, the sum of six hundred dollars.

SECTION 2. This act shall take effect upon its passage.

Approved February 6, 1896.

Chap. 61. AN ACT MAKING APPROPRIATIONS FOR SALARIES AND EXPENSES
AT THE STATE ALMSHOUSE.

Be it enacted, etc., as follows :

Appropriations.

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, to meet expenses for the year ending on the thirty-first day of December in the year eighteen hundred and ninety-six, to wit : —

State alms-
house.

For the payment of salaries, wages and labor at the state almshouse, a sum not exceeding thirty-three thousand one hundred dollars.

Expenses.

For current expenses at the state almshouse, a sum not exceeding one hundred thousand dollars.

SECTION 2. This act shall take effect upon its passage.

Approved February 6, 1896.

Chap. 62. AN ACT MAKING APPROPRIATIONS FOR SALARIES AND EXPENSES
AT THE STATE FARM.

Be it enacted, etc., as follows :

Appropriations.

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, to meet expenses for the year ending on the thirty-first day of December in the year eighteen hundred and ninety-six, to wit : —

State farm.

For the payment of salaries, wages and labor at the state farm, a sum not exceeding thirty-two thousand dollars.

Expenses.

For current expenses at the state farm, a sum not exceeding eighty-two thousand nine hundred dollars.

SECTION 2. This act shall take effect upon its passage.

Approved February 6, 1896.

AN ACT MAKING APPROPRIATIONS FOR SALARIES AND EXPENSES *Chap. 63.*
AT THE STATE INDUSTRIAL SCHOOL FOR GIRLS.

Be it enacted, etc., as follows :

SECTION 1. The sums hereinafter mentioned are ap- Appropriations.
propriated, to be paid out of the treasury of the Com-
monwealth from the ordinary revenue, for the purposes
specified, to meet expenses for the year ending on the
thirty-first day of December in the year eighteen hundred
and ninety-six, to wit : —

For the payment of salaries, wages and labor at the State industrial
state industrial school for girls, a sum not exceeding school for girls.
eleven thousand five hundred dollars.

For current expenses at the state industrial school for Expenses.
girls, a sum not exceeding sixteen thousand two hundred
and seventy-five dollars.

For expenses in connection with boarding out younger Boarding out
girls from the state industrial school, a sum not exceed- younger girls.
ing five hundred dollars.

SECTION 2. This act shall take effect upon its passage.

Approved February 6, 1896.

AN ACT MAKING APPROPRIATIONS FOR THE PAYMENT OF ANNUITIES *Chap. 64.*
TO SOLDIERS AND OTHERS.

Be it enacted, etc., as follows :

SECTION 1. The sums hereinafter mentioned are ap- Appropriations.
propriated, to be paid out of the treasury of the Com-
monwealth from the ordinary revenue, for the payment
of annuities and pensions due from the Commonwealth to
soldiers and others, during the year ending on the thirty-
first day of December in the year eighteen hundred and
ninety-six, to wit : —

For annuities due from the Commonwealth, incurred by the acceptance of the bequest of the late Martha
Johonnot, a sum not exceeding three hundred dollars. Johonnot
annuities.

For annuities to soldiers and others, as authorized by the legislature, the sum of thirty-nine hundred and eighty
dollars. Annuities to
soldiers, etc.

For pensions authorized by the legislature, the sum of Pensions.
five hundred and twenty dollars.

SECTION 2. This act shall take effect upon its passage.

Approved February 6, 1896.

Chap. 65. AN ACT MAKING APPROPRIATIONS FOR SALARIES OF EMPLOYEES AND FOR OTHER NECESSARY EXPENSES IN THE DEPARTMENT OF THE SERGEANT-AT-ARMS.

Be it enacted, etc., as follows :

Appropriations.

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, to meet expenses for the year ending on the thirty-first day of December in the year eighteen hundred and ninety-six, to wit :—

Engineer's department.

For the salaries of the chief engineer and other employees in the engineer's department, a sum not exceeding ninety-eight hundred dollars.

Watchmen.

For the salaries of the watchmen and assistant watchmen at the state house, a sum not exceeding eleven thousand one hundred dollars.

Firemen, etc.

For the salaries of firemen, oilers and cleaners at the state house, a sum not exceeding ten thousand four hundred dollars.

Elevators.

For the salaries of the elevator men and expenses in connection with the elevators at the state house, a sum not exceeding sixty-eight hundred dollars.

Gardener and porters.

For the salaries of the gardener and porters at the state house, a sum not exceeding four thousand four hundred dollars.

Telephones.

For rent of telephones and expenses in connection therewith at the state house, a sum not exceeding thirty-seven hundred and twenty-five dollars.

Fuel and lights.

For fuel and lights at the state house, including coal, water, gas and removal of ashes, a sum not exceeding twenty-five thousand dollars.

Care of state house, etc.

For the care of the state house and grounds, including repairs, and furniture and repairs thereof, and for such expenses as may be necessary at the buildings numbered five and six Mount Vernon street in the city of Boston, now occupied by state departments, a sum not exceeding twenty-five thousand dollars.

Sergeant-at-arms, messengers.

For the salaries of the messengers to the sergeant-at-arms, known as sergeant-at-arms' messengers, including an office boy, a sum not exceeding forty-seven hundred dollars.

Sergeant-at-arms, expenses.

For incidental and contingent expenses of the sergeant-at-arms, a sum not exceeding three hundred dollars.

For the salary of the stenographer of the sergeant-at-arms, a sum not exceeding eight hundred dollars. Stenographer.

For the salary of the state house matron, a sum not exceeding eight hundred dollars. State house matron.

For the salary of the janitor at the Commonwealth building, a sum not exceeding nine hundred dollars. Janitor, Commonwealth building.

For repairs, improvements, furniture, and other necessary expenses at the Commonwealth building, a sum not exceeding five thousand dollars. Repairs, etc., Commonwealth building.

SECTION 2. This act shall take effect upon its passage.

Approved February 6, 1896.

AN ACT TO RATIFY THE PROCEEDINGS OF ST. PETER'S CHURCH IN CAMBRIDGE.

Chap. 66.

Be it enacted, etc., as follows:

SECTION 1. The acts and proceedings of the Protestant Episcopal Religious Society in Cambridge, organized on the seventeenth day of October in the year eighteen hundred and forty-two, under the name of St. Peter's Church, shall not be invalidated by any irregularity or informality in such acts and proceedings between said date and the date of the passage of this act; and the organization of said society and all its acts and proceedings, including the action of said society in changing its name to the Parish of St. Peter's Church, are hereby ratified and declared valid. Protestant Episcopal Religious Society in Cambridge, proceedings ratified.

SECTION 2. This act shall take effect upon its passage.

Approved February 7, 1896.

AN ACT TO CONFIRM CERTAIN PROCEEDINGS OF THE TOWN OF MILTON AT A SPECIAL TOWN MEETING HELD ON THE TWENTY-NINTH DAY OF JUNE IN THE YEAR EIGHTEEN HUNDRED AND NINETY-FIVE.

Chap. 67.

Be it enacted, etc., as follows:

SECTION 1. The proceedings of the special town meeting of the town of Milton, held on the twenty-ninth day of June in the year eighteen hundred and ninety-five, shall not be invalid by reason of the omission in the warrant calling said meeting of a specification of the time of opening the polls and the time of closing the polls for the election of the board of sewer commissioners. Proceedings of special town meeting of Milton confirmed.

SECTION 2. This act shall take effect upon its passage.

Approved February 7, 1896.

Chap. 68. AN ACT TO AUTHORIZE THE TOWN OF STONEHAM TO REFUND
CERTAIN TAXES.

Be it enacted, etc., as follows :

Town of Stone-
ham to refund
certain taxes.

SECTION 1. The town of Stoneham is authorized to refund to Willis Ross, pursuant to a vote of said town passed on the sixth day of December in the year eighteen hundred and ninety-five, the sum of one hundred and seventy-two dollars and eighty-seven cents, being taxes wrongfully assessed upon his estate during the years eighteen hundred and seventy to eighteen hundred and ninety-four, inclusive.

SECTION 2. This act shall take effect upon its passage.

Approved February 7, 1896.

Chap. 69. AN ACT MAKING APPROPRIATIONS FOR SALARIES AND EXPENSES
AT THE LYMAN SCHOOL FOR BOYS.

Be it enacted, etc., as follows :

Appropriations.

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, to meet expenses for the year ending on the thirty-first day of December in the year eighteen hundred and ninety-six, to wit :—

Lyman school
for boys.

For the payment of salaries, wages and labor at the Lyman school for boys, a sum not exceeding twenty-seven thousand dollars.

Expenses.

For current expenses at the Lyman school for boys, a sum not exceeding forty thousand dollars.

SECTION 2. This act shall take effect upon its passage.

Approved February 7, 1896.

Chap. 70. AN ACT MAKING APPROPRIATIONS FOR SUNDRY MISCELLANEOUS
EXPENSES AUTHORIZED BY LAW.

Be it enacted, etc., as follows :

Appropriations.

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, to meet expenses for the year ending on the thirty-first day of December in the year eighteen hundred and ninety-six, to wit :—

Payment of
unclaimed
moneys.

For the payment of unclaimed moneys in the hands of receivers of certain insolvent corporations, after the

same have been deposited in the treasury of the Commonwealth, a sum not exceeding three thousand dollars.

To carry out the provisions of the act relative to the payment from the treasury of the Commonwealth of funds received from public administrators, a sum not exceeding four thousand dollars.

Payment of funds received from public administrators.

For medical examiners' fees, a sum not exceeding five hundred dollars.

Medical examiners' fees.

For expenses incurred in the construction and repair of roads in the town of Mashpee during the year eighteen hundred and ninety-five, the sum of three hundred dollars.

Repairs, etc., of roads in Mashpee.

For assistance to the town of Truro in maintaining a section of its county highway, known as Beach Point road, a sum not exceeding five hundred dollars.

Beach Point road in Truro.

For the support of Sarah J. Robinson, a prisoner in the jail at Lowell in the county of Middlesex, a sum not exceeding four hundred dollars.

Support of Sarah J. Robinson.

For the compensation of probation officers, as authorized by section seven of chapter three hundred and fifty-six of the acts of the year eighteen hundred and ninety-one, a sum not exceeding six hundred dollars.

Probation officers, compensation.

For small items of expenditure for which no appropriations have been made, or for which appropriations have been exhausted or have reverted to the treasury of the Commonwealth in previous years, a sum not exceeding one thousand dollars, to be expended under the direction of the auditor of the Commonwealth.

Small items of expenditure.

For furnishing cities and towns with ballot boxes, and for repairs to the same, a sum not exceeding five thousand dollars.

Ballot boxes.

For furnishing registrars of voters in the cities and towns of the Commonwealth with suitable registration boxes, a sum not exceeding five hundred dollars.

Registration boxes.

SECTION 2. This act shall take effect upon its passage.

Approved February 7, 1896.

AN ACT MAKING AN APPROPRIATION FOR THE PAYMENT OF A JUDGMENT ENTERED IN THE SUPERIOR COURT IN FAVOR OF THEODORE E. DAVIS AGAINST THE COMMONWEALTH, Chap. 71.

Be it enacted, etc., as follows:

SECTION 1. A sum not exceeding eighteen thousand one hundred eighty-six dollars and thirty-eight cents is

Payment of judgment in favor of Theodore E. Davis.

hereby appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the payment of a judgment entered in the superior court against the Commonwealth in favor of Theodore E. Davis, being for the full amount of his claim, legal costs and interest until paid.

SECTION 2. This act shall take effect upon its passage.

Approved February 7, 1896.

Chap. 72. AN ACT MAKING AN APPROPRIATION FOR OPERATING THE CHARLES RIVER VALLEY SYSTEM OF SEWERAGE.

Be it enacted, etc., as follows:

Charles River
Valley System
of sewerage.

SECTION 1. A sum not exceeding thirty thousand dollars is hereby appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purpose of providing for the cost of the maintenance and operation of the system of sewage disposal for the cities of Boston, Newton and Waltham, and the towns of Watertown and Brookline, known as the Charles River Valley System, during the year ending on the thirty-first day of December in the year eighteen hundred and ninety-six.

SECTION 2. This act shall take effect upon its passage.

Approved February 7, 1896.

Chap. 73. AN ACT TO BETTER DEFINE THE DAYS OF REGISTRATION OF VOTERS.

Be it enacted, etc., as follows:

Registration of
voters.

SECTION 1. When the last day for the registration of voters before an election in any city or town falls on a holiday, then the day preceding such holiday shall be the last day for such registration.

SECTION 2. This act shall take effect upon its passage.

Approved February 12, 1896.

Chap. 74. AN ACT TO CHANGE THE NAME OF THE CLARKE INSTITUTION FOR DEAF MUTES.

Be it enacted, etc., as follows:

Name changed.

SECTION 1. The name of the corporation now known as the Clarke Institution for Deaf Mutes, in the city of Northampton, is hereby changed to that of The Clarke School for the Deaf.

SECTION 2. All devises, bequests, conveyances and gifts heretofore or hereafter made to said corporation by either of said names shall vest in the corporation of The Clarke School for the Deaf. Devises,
bequests, etc.

SECTION 3. This act shall take effect upon its passage.

Approved February 12, 1896.

AN ACT MAKING APPROPRIATIONS FOR DEFICIENCIES IN APPROPRIATIONS FOR CERTAIN EXPENSES AUTHORIZED IN THE YEAR EIGHTEEN HUNDRED AND NINETY-FIVE.

Chap. 75.

Be it enacted, etc., as follows:

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the payment of certain expenses in excess of the appropriations therefor in the year eighteen hundred and ninety-five, to wit:— Appropriations.

For registration books and blanks, the sum of one hundred and fifty-three dollars and fifty cents. Registration
books and
blanks.

For contingent expenses of the state military and naval historian, the sum of one hundred forty-two dollars and thirty-three cents. Military and
naval historian.

For expenses of the railroad commissioners, the sum of eighty-two dollars and forty-nine cents. Railroad com-
missioners,
expenses.

For reimbursement to cities and towns for money paid on account of state and military aid to Massachusetts volunteers and their families, the sum of twenty-eight hundred thirty-one dollars and sixty cents. State and
military aid.

For education of deaf pupils, the sum of forty-five hundred eighty-four dollars and twelve cents. Education of
deaf pupils.

For expenses in connection with repairs and improvements at the state normal school at Worcester, the sum of seventy-six hundred sixty-seven dollars and ninety-nine cents. Normal school
at Worcester.

For the expenses of the commissioners on inland fisheries and game, the sum of five hundred nineteen dollars and thirty-nine cents. Commissioners
on inland
fisheries and
game.

For expenses in the office of the attorney-general, the sum of eighty-five dollars and seventy-nine cents. Attorney-
general.

For the purchase of paper for the Commonwealth, used in carrying out the state printing contract, the sum of fifty-one hundred ninety-eight dollars and twenty-four cents. Purchase of
paper.

For printing ballots used in state and national elec- Printing ballots.

tions, the sum of nineteen hundred fifteen dollars and thirty cents.

State paupers in lunatic hospitals, etc.

For the support and relief of state paupers in state lunatic hospitals and asylums of the Commonwealth, the sum of thirty-three hundred fifty-seven dollars and sixty-four cents.

Industrial school for girls.

For current expenses at the state industrial school for girls, the sum of four hundred forty-eight dollars and five cents.

Courts of insolvency.

For expenses of courts of insolvency, the sum of three hundred sixty-seven dollars and eighty cents.

Ballot boxes.

For ballot boxes for cities and towns, the sum of ninety dollars and eighty-five cents.

Contagious diseases among animals.

For expenses in connection with the extermination of contagious diseases among horses, cattle and other animals, the sum of twenty thousand fifty-two dollars and twenty-one cents.

Treasurer and receiver general, expenses.

For incidental and contingent expenses in the department of the treasurer and receiver general, the sum of eight hundred seven dollars and ninety-six cents.

SECTION 2. This act shall take effect upon its passage.

Approved February 12, 1896.

Chap. 76. AN ACT MAKING APPROPRIATIONS FOR SALARIES AND EXPENSES OF AGENTS, AND CERTAIN OTHER EXPENSES OF THE TRUSTEES OF THE LYMAN AND INDUSTRIAL SCHOOLS.

Be it enacted, etc., as follows :

Appropriations.

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, to meet expenses for the year ending on the thirty-first day of December in the year eighteen hundred and ninety-six, to wit : —

Lyman and industrial schools, agents.

For salaries and expenses of such agents as the trustees of the Lyman and industrial schools may deem necessary to employ, a sum not exceeding five thousand dollars.

Boarding out children.

For expenses in connection with boarding out children, by the trustees of the Lyman and industrial schools, a sum not exceeding three thousand dollars.

Trustees, expenses.

For travelling and other necessary expenses of the trustees of the Lyman and industrial schools, a sum not exceeding one thousand dollars.

SECTION 2. This act shall take effect upon its passage.

Approved February 15, 1896.

AN ACT MAKING AN APPROPRIATION FOR OPERATING THE NORTH METROPOLITAN SYSTEM OF SEWERAGE. *Chap. 77.*

Be it enacted, etc., as follows:

SECTION 1. A sum not exceeding ninety-one thousand five hundred dollars is hereby appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purpose of providing for the cost of the maintenance and operation of the system of sewage disposal for the cities of Boston, Cambridge, Somerville, Malden, Chelsea, Woburn, Medford and Everett, and the towns of Stoneham, Melrose, Winchester, Arlington and Belmont, known as the North Metropolitan System, during the year ending on the thirty-first day of December in the year eighteen hundred and ninety-six.

North Metro-
politan System
of sewerage.

SECTION 2. This act shall take effect upon its passage.

Approved February 15, 1896.

AN ACT RELATIVE TO FILING LOCATIONS OF LANDS PURCHASED FOR RAILROAD PURPOSES. *Chap. 78.*

Be it enacted, etc., as follows:

SECTION 1. Locations authorized to be filed under the provisions of chapter three hundred and fifty-six of the acts of the year eighteen hundred and ninety-five may, in case of lands heretofore purchased or acquired for railroad purposes, be filed within one year from the passage of this act, in the same manner and with like effect as provided by said act.

Filing loca-
tions of lands
for railroad
purposes.

SECTION 2. This act shall take effect upon its passage.

Approved February 15, 1896.

AN ACT TO INCORPORATE THE SHELBURNE FALLS AND COLRAIN STREET RAILWAY COMPANY. *Chap. 79.*

Be it enacted, etc., as follows:

SECTION 1. Lorenzo Griswold, Charles A. Marcy, Clifton L. Field, Whiting W. Cary, Edwin Baker, David W. Temple, George W. Jenks, Herbert Newell, Freeman L. Davenport, Albert J. Amstein, Hugo Mann, Albert C. Bray, their associates and successors, are hereby made a corporation under the name of the Shelburne Falls and Colrain Street Railway Company; with

Shelburne Falls
and Colrain
Street Railway
Company incor-
porated.

all the powers and privileges and subject to all the duties, conditions and restrictions set forth in all general laws that now are or hereafter may be in force relating to street railway companies.

May construct,
etc., its railway
in certain towns.

SECTION 2. Said company may locate, construct, maintain and operate its railway in such manner as may be convenient and necessary, in part upon private land, and upon streets, highways or state roads, in the towns of Buckland, Shelburne and Colrain, subject to the approval and under the control of the selectmen of the respective towns, as provided by general law, and subject also to the approval and consent of the Massachusetts highway commission as to any part of said railway located upon a state highway. The location of said railway outside the public streets and highways shall not exceed fifty feet in width.

Location.

Motive power.

SECTION 3. Said company may maintain and operate its railway by any approved power other than steam, and may erect and maintain poles and wires on private lands taken, and, with the consent of the board of selectmen in the respective towns, may erect such poles and wires in the streets and highways as may be necessary to establish and maintain such motive power. It may acquire by purchase or by lease all necessary real estate for its power stations and other uses incidental to the proper maintenance of its railway.

May acquire
necessary real
estate.

Location, taking
of private prop-
erty, etc.

SECTION 4. The proceedings for the fixing of the route and location of said railway for all the route outside of streets and highways, and for the taking of private property, and for the determination and payment of damages therefor, shall be similar to those prescribed by general law in relation to railroads, except as hereinafter otherwise provided; but if upon petition of the directors and after notice and hearing thereon, as provided in section twenty-one of chapter one hundred and thirteen of the Public Statutes, the selectmen of any town agree with the directors as to any proposed extension of the route of said railway therein which is in part located on private land, and the selectmen sign and give to the directors a certificate setting forth such route, and if such certificate, with the directors' acceptance thereof in writing, is recorded in the registry of deeds for the county of Franklin within thirty days after the date of said certificate it shall be deemed the true location of the tracks of the

company and a taking of the private lands therein indicated.

SECTION 5. The capital stock of said company shall not exceed fifty thousand dollars, except that said company may increase its capital stock, subject to the provisions of the general laws relative thereto. Capital stock.

SECTION 6. Said company, in order to meet expenses incurred under this act, may issue bonds not exceeding the amount of its capital stock, and payable within a period not exceeding thirty years from the date thereof, secured by mortgage of its franchise and property, subject to the general laws relative thereto; and in such mortgage may reserve to its directors the right to sell or otherwise in due course of business to dispose of property included therein which may become unsuitable for use, provided an equivalent in value is substituted therefor. May issue mortgage bonds, etc.

SECTION 7. Said company is hereby authorized to use its said tracks to carry on the business of a common carrier of goods and merchandise and for the transportation of freight upon and over any street or highway or over any private land upon which it may be authorized to construct its tracks as aforesaid, subject to the provisions of chapter seventy-three of the Public Statutes and of all laws relating to common carriers. May carry on business of a common carrier of goods, etc.

SECTION 8. The towns of Shelburne, Buckland and Colrain or any of them may subscribe for and hold shares of the capital stock or the bonds of said company, to the same amount and in the same manner as prescribed by general law in relation to railroads. Certain towns may hold capital stock, etc.

SECTION 9. No stock or bonds shall be issued under this act until the terms of such issue have been submitted to the board of railroad commissioners and approved by them, and if they approve such issue a certificate setting forth such approval shall be executed by said board and filed by said company in the office of the secretary of the Commonwealth. Issue of stock, etc., to be approved.

SECTION 10. The authority herein granted shall cease as to the location in any town where no portion of the proposed road has been built and put in operation at the end of five years from the passage of this act. Authority to cease under certain conditions.

SECTION 11. This act shall take effect upon its passage.

Approved February 15, 1896.

Chap. 80. AN ACT TO AUTHORIZE THE REVERE RUBBER COMPANY TO INCREASE ITS CAPITAL STOCK.

Be it enacted, etc., as follows:

May increase capital stock.

The Revere Rubber Company may increase its capital stock, in the manner provided by law for the increase of the capital stock of manufacturing corporations, and in such amounts as it may from time to time determine: *provided*, that the whole amount of its capital stock shall not exceed three million dollars.

Proviso.

Approved February 15, 1896.

Chap. 81. AN ACT TO AUTHORIZE THE COMMISSIONERS ON INLAND FISHERIES AND GAME TO LEASE CHILMARK POND IN THE TOWN OF CHILMARK.

Be it enacted, etc., as follows:

Chilmark pond, etc., may be leased for cultivating fish.

SECTION 1. The commissioners on inland fisheries and game, or any two of them, may, in the name of the Commonwealth, lease for terms not exceeding twenty years the great pond known as Chilmark pond, in the town of Chilmark, and any of the arms, coves and bays connected therewith, for the purpose of cultivating useful fish, for such periods of time and on such terms and conditions as they may judge the public interest to require: *provided*, that nothing in this act shall impair or abridge the right of any citizen of the Commonwealth to take fish in said pond or the waters connected therewith by hook and line, at such times and under such restrictions and limitations as are permitted under any laws of the Commonwealth now or hereafter enacted relating to the taking of fish by hook and line.

Proviso.

Limits of pond, etc., may be fixed.

SECTION 2. The commissioners on inland fisheries and game may fix the limits of said pond, and the arms, coves and bays connected therewith, which limits being recorded in the registry of deeds for Dukes County shall be taken to be the legal limits thereof for all the purposes of this act.

Commissioners to have custody of leases, etc.

SECTION 3. Said commissioners shall have the custody of all leases made under the provisions of this act, and may cause any agreements, rights, reservations, forfeitures and conditions therein contained to be enforced; and for that purpose may institute proceedings in the name of the Commonwealth, and may take possession of any premises for breach of conditions of said lease,

and after revesting the Commonwealth therewith may again lease the same.

SECTION 4. This act shall take effect upon its passage.

Approved February 15, 1896.

AN ACT AUTHORIZING THE BOSTON FEMALE ASYLUM TO HOLD ADDITIONAL REAL AND PERSONAL ESTATE.

Chap. 82.

Be it enacted, etc., as follows:

SECTION 1. The Boston Female Asylum may hold real and personal estate to an amount not exceeding seven hundred and fifty thousand dollars. May hold additional estate.

SECTION 2. So much of section one of chapter forty-nine of the acts of the year eighteen hundred and three as relates to the annual income which said corporation may receive is hereby repealed. Certain provisions of law repealed.

SECTION 3. This act shall take effect upon its passage, but shall not become operative until accepted by vote of the corporation. When to take effect.

Approved February 15, 1896.

AN ACT TO AUTHORIZE THE GLOUCESTER STREET RAILWAY COMPANY TO LEASE THE GLOUCESTER AND ROCKPORT STREET RAILWAY.

Chap. 83.

Be it enacted, etc., as follows:

SECTION 1. The Gloucester Street Railway Company is hereby authorized to lease the railway, franchise, property, rights and easements of the Gloucester and Rockport Street Railway Company; and the Gloucester and Rockport Street Railway Company is hereby authorized to lease the same to the Gloucester Street Railway Company, which latter company shall, upon such lease and in accordance with the terms thereof, have and enjoy the powers and privileges, and be subject to the duties, liabilities and restrictions of the said Gloucester and Rockport Street Railway Company: *provided, however,* that no such lease shall be valid or binding until the terms thereof have been agreed to by a majority of the directors of each of said companies, and by a majority in interest of their respective stockholders at meetings duly called for the purpose, and approved by the board of railroad commissioners in the manner provided by law. May lease franchise, etc., of certain street railway company, etc. Proviso.

SECTION 2. This act shall take effect upon its passage.

Approved February 15, 1896.

Chap. 84. AN ACT TO INCORPORATE THE SPRINGFIELD CITY MARKET COMPANY.*Be it enacted, etc., as follows :*Springfield City
Market Com-
pany incorpo-
rated.

SECTION 1. Daniel B. Wesson, Elisha Morgan, Charles H. Parsons, Warren D. Kinsman, Alfred N. Mayo, John S. Sanderson, Orlando M. Baker and Robert A. Knight, their associates and successors, are hereby made a corporation by the name of the Springfield City Market Company, subject to the provisions of chapter one hundred and five of the Public Statutes and to all general corporation laws which now are or hereafter may be in force relating to such corporations, and shall have the powers and be subject to the liabilities and restrictions therein prescribed.

May purchase,
etc., certain real
estate, erect
buildings, etc.

SECTION 2. Said corporation may purchase and hold real estate situated in Springfield within the limits of the tract bounded by Dwight, Bridge, Hillman and Barnes streets, and may sell, mortgage, let, lease and improve the same, and may erect buildings and structures thereon, to be used as a market and for such other purposes as may be deemed necessary and expedient.

Capital stock.

Proviso.

SECTION 3. The capital stock of said corporation shall be sixty thousand dollars, and shall be divided into shares of one hundred dollars each : *provided*, that no stock shall be issued until the whole amount of said capital stock shall have been paid in, either in cash or property, the value of which property, if any, shall be determined by the commissioner of corporations.

May increase
capital stock.

Provisos.

SECTION 4. Said corporation may from time to time increase its capital stock in amounts not to exceed in the aggregate the further sum of one hundred and forty thousand dollars : *provided*, that no shares in such increased capital stock shall be issued for a less sum to be actually paid in on each share in cash or property than the par value thereof, which shall not be less than one hundred dollars, the value of said property to be determined as aforesaid ; and *provided, also*, that a certificate stating the amount of any such increase shall within ten days thereafter be made, signed and sworn to by its president and treasurer and a majority of its directors, and be filed in the office of the secretary of the Commonwealth.

SECTION 5. This act shall take effect upon its passage.

Approved February 15, 1896.

AN ACT MAKING AN APPROPRIATION FOR OPERATING THE NEPONSET RIVER VALLEY SYSTEM OF SEWAGE DISPOSAL. *Chap. 85.*

Be it enacted, etc., as follows :

SECTION 1. A sum not exceeding twenty-five hundred dollars is hereby appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the cost of the maintenance and operation of the Neponset river valley system of sewage disposal, during the year ending on the thirty-first day of December in the year eighteen hundred and ninety-six.

Neponset river valley system of sewage disposal.

SECTION 2. This act shall take effect upon its passage.

Approved February 15, 1896.

AN ACT RELATIVE TO THE PRINTING OF THE REPORTS OF THE CIVIL SERVICE COMMISSION. *Chap. 86.*

Be it enacted, etc., as follows :

Section seven of chapter three hundred and ninety-three of the acts of the year eighteen hundred and ninety-four is hereby amended by striking out the words "Report of the civil service commission, seven thousand copies", and inserting in place thereof the words :— Report of the civil service commission, ten thousand copies.

1894, 393, § 7, amended.

Approved February 15, 1896.

AN ACT MAKING AN APPROPRIATION FOR THE PAYMENT OF CERTAIN EXPENSES IN CONNECTION WITH THE PROTECTION OF THE PURITY OF INLAND WATERS. *Chap. 87.*

Be it enacted, etc., as follows :

SECTION 1. The sum hereinafter mentioned is appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the payment of certain expenses in connection with the protection of the purity of inland waters, during the year ending on the thirty-first day of December in the year eighteen hundred and ninety-six, to wit :—

Appropriation.

For services of engineers, chemists, biologists and other assistants, and for other expenses made necessary and authorized by chapter three hundred and seventy-five of the acts of the year eighteen hundred and eighty-eight, a sum not exceeding thirty thousand dollars.

Purity of inland waters, expenses.

SECTION 2. This act shall take effect upon its passage.

Approved February 15, 1896.

Chap. 88. AN ACT MAKING APPROPRIATIONS FOR THE SALARIES AND EXPENSES OF THE STATE MILITARY AND NAVAL HISTORIAN.

Be it enacted, etc., as follows :

Appropriations.

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, to meet expenses for the year ending on the thirty-first day of December in the year eighteen hundred and ninety-six, to wit : —

Military and naval historian.

For the salary of the state military and naval historian, eight hundred and thirty-three dollars and thirty-three cents.

Expenses.

For necessary expenses, including postage, stationery, travelling expenses, office hire and clerical assistance, a sum not exceeding seven hundred and fifty dollars.

SECTION 2. This act shall take effect upon its passage.

Approved February 15, 1896.

Chap. 89. AN ACT TO AUTHORIZE THE CITY OF CHICOPEE TO MAKE AN ADDITIONAL WATER LOAN.

Be it enacted, etc., as follows :

Chicopee Public Water Supply Loan, Act of 1896.

SECTION 1. The city of Chicopee, for the purposes mentioned in chapter three hundred and eighty-four of the acts of the year eighteen hundred and ninety-two, is hereby authorized to issue notes, bonds or scrip, to be denominated on the face thereof, Chicopee Public Water Supply Loan, Act of 1896, to an amount not exceeding forty-five thousand dollars in addition to the amounts heretofore authorized by law to be issued by said city for the same purposes ; said notes, bonds or scrip to be issued upon the same terms and conditions and with the same powers as are provided in said chapter three hundred and eighty-four for the issue of the Chicopee public water supply loan by said city.

SECTION 2. This act shall take effect upon its passage.

Approved February 15, 1896.

Chap. 90. AN ACT TO AUTHORIZE THE BERKSHIRE COTTON MANUFACTURING COMPANY TO INCREASE ITS CAPITAL STOCK.

Be it enacted, etc., as follows :

May increase capital stock.

SECTION 1. The Berkshire Cotton Manufacturing Company may increase its capital stock, in the manner

provided by law for the increase of capital stock of manufacturing corporations, and in such amounts as it may from time to time determine: *provided*, that the whole amount of its capital stock shall not exceed two million dollars. Proviso.

SECTION 2. This act shall take effect upon its passage.
Approved February 15, 1896.

AN ACT TO AUTHORIZE THE FIRST UNITARIAN CHURCH IN PEABODY TO ENLARGE ITS MEMBERSHIP AND TO MAKE SUCH BY-LAWS AS IT COULD MAKE IF ORGANIZED UNDER THE GENERAL LAWS. Chap. 91.

Be it enacted, etc., as follows:

SECTION 1. The First Unitarian Church in Peabody, originally known as the First Unitarian Church in Danvers, may, notwithstanding anything in its charter contained, make from time to time by-laws providing for the enlargement of its membership, so as to include the pastor of the society and occupants of pews, who shall, while members of said corporation, have the same rights and powers and be subject to the same liabilities as the present members of said corporation; and said corporation may also from time to time make such by-laws concerning other matters as it could make if organized under the general laws relating to like corporations. May make additional by-laws.

SECTION 2. This act shall take effect upon its acceptance by said corporation at a legal meeting called for the purpose. When to take effect.
Approved February 15, 1896.

AN ACT MAKING AN APPROPRIATION FOR THE EXPENSES OF THE BOARD OF COMMISSIONERS FOR THE PROMOTION OF UNIFORMITY OF LEGISLATION IN THE UNITED STATES. Chap. 92.

Be it enacted, etc., as follows:

SECTION 1. A sum not exceeding sixteen hundred seven dollars and eighty-seven cents is hereby appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, being the unexpended balance of the amount of twenty-five hundred dollars authorized in section five of chapter four hundred and five of the acts of the year eighteen hundred and ninety-one for expenses of the board of commissioners for the promotion of uniformity of legislation in the United States. Commissioners for promotion of uniformity of legislation in the United States, expenses.

SECTION 2. This act shall take effect upon its passage.
Approved February 15, 1896.

Chap. 93. AN ACT TO AUTHORIZE THE PARK COMMISSIONERS OF THE TOWN OF SWAMPSCOTT TO ERECT CERTAIN STRUCTURES FOR BOATING, BATHING AND FISHING PURPOSES.

Be it enacted, etc., as follows:

Certain restrictions not to apply.

SECTION 1. The restrictions contained in section ten of chapter one hundred and fifty-four of the acts of the year eighteen hundred and eighty-two shall not apply to structures erected for boating, bathing and fishing purposes by the park commissioners of the town of Swampscott, by authority of said town, on beaches acquired or to be acquired by the town.

SECTION 2. This act shall take effect upon its passage.

Approved February 15, 1896.

Chap. 94. AN ACT TO AUTHORIZE THE TREMONT AND SUFFOLK MILLS TO ENGAGE IN BUSINESS BEYOND THE LIMITS OF THE COMMONWEALTH, AND TO INCREASE ITS CAPITAL STOCK.

Be it enacted, etc., as follows:

May engage in business beyond the limits of the Commonwealth.

SECTION 1. The Tremont and Suffolk Mills is hereby authorized to carry on the business of purchasing, selling and manufacturing cotton, or any other fibre or any product thereof, in any part of the United States of America, and to invest such portions of its capital stock in real and personal estate, either within or without the Commonwealth, as may be necessary or convenient for carrying on its business.

May increase capital stock.

SECTION 2. The Tremont and Suffolk Mills is hereby authorized to increase its capital stock to an amount not exceeding three million dollars.

SECTION 3. This act shall take effect upon its passage.

Approved February 15, 1896.

Chap. 95. AN ACT PROVIDING FOR THE REMOVAL OF THE REMAINS OF THE DEAD FROM THE OLD BURIAL GROUND IN MELROSE.

Be it enacted, etc., as follows:

May remove remains of dead, etc.

SECTION 1. The town of Melrose may remove the remains of the dead and the monuments erected to their memory from the old burial ground on Main street in said town to the present Wyoming Cemetery in said town, and may make use of said old burial ground for any public purpose.

SECTION 2. Said town shall fix a time for the removal of said remains and monuments, and shall publish notice thereof once each week for three successive weeks in some newspaper published in said town, the last publication thereof to be at least seven days before the time fixed for said removal.

To fix time and publish notice.

SECTION 3. Upon a request in writing by any relative or friend of a person whose remains are to be removed, said remains shall be interred and said monuments erected in any other cemetery, said relatives or friends first paying the expenses of the removal and interment.

Interment, etc., in certain cases.

SECTION 4. The town of Melrose, at any legal town meeting called for the purpose, may raise and appropriate for the purposes of this act a sum not exceeding one thousand dollars.

Town may appropriate a certain sum.

SECTION 5. This act shall take effect upon its passage.

Approved February 15, 1896.

AN ACT TO AUTHORIZE CERTAIN CHARITABLE, EDUCATIONAL AND OTHER CORPORATIONS TO HOLD ADDITIONAL REAL AND PERSONAL ESTATE.

Chap. 96.

Be it enacted, etc., as follows:

SECTION 1. Any corporation heretofore chartered by the legislature for any of the purposes mentioned in section two of chapter one hundred and fifteen of the Public Statutes may hold real and personal estate to the amount of not more than five hundred thousand dollars, for the purposes set forth in its charter.

Certain corporations may hold additional estate.

SECTION 2. This act shall take effect upon its passage.

Approved February 15, 1896.

AN ACT TO REQUIRE THE COUNTY COMMISSIONERS FOR THE COUNTY OF ESSEX TO RELOCATE AND RECONSTRUCT THE DRAW IN THE ESSEX BRIDGE BETWEEN THE CITIES OF SALEM AND BEVERLY.

Chap. 97.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners for the county of Essex shall, as soon as may be after the passage of this act, relocate and reconstruct, of a width, in the open, of not less than forty feet, subject to the approval of the board of harbor and land commissioners, the draw in the Essex bridge, which crosses navigable water between the city of Salem and the city of Beverly, including suit-

May reconstruct, etc., draw in Essex bridge, etc.

able pier approaches thereto; and the said county commissioners may borrow on the credit of the county such sums of money as may be necessary to comply with the provisions of this act.

SECTION 2. This act shall take effect upon its passage.

Approved February 15, 1896.

Chap. 98. AN ACT TO INCORPORATE THE GARDNER HOME FOR ELDERLY PEOPLE.

Be it enacted, etc., as follows:

The Gardner Home for Elderly People incorporated.

SECTION 1. Arthur P. Derby, Euclid L. Brooks, Alec E. Knowlton, Henry Heywood, George H. Heywood, Charles W. Conant, Frank J. Pierce, Charles O. Bent, Edward H. Sawin, Charles L. Leland, Harlin P. Upham, Charles E. Whitney, George R. Lowe, James A. Stiles, Pamela A. Adams, Edward P. Noyes and Guy W. Garland, are hereby made a corporation by the name of The Gardner Home for Elderly People; with all the powers and privileges and subject to all the duties, restrictions and liabilities set forth in the general laws which now are or may hereafter be in force applicable to such corporations.

May take and hold certain property, etc.

SECTION 2. Said corporation shall have the power to take and hold the property, personal and real, given by Augustus Knowlton, late of Gardner, deceased, by his last will and testament, for the purpose of establishing in Gardner a home for protestant aged men and women, and shall hold and administer said estate for the charitable uses mentioned in said will.

Membership.

SECTION 3. The corporation shall consist of the persons named in this act; of all persons who have been or may be directors; of such persons as shall give to the corporation, at any one time, one hundred dollars or upwards, or who at any meeting of the corporation may be elected members by ballot.

Officers.

SECTION 4. The officers of the corporation shall consist of a president, two vice-presidents, a treasurer and a secretary, who, with ten other members of the corporation, shall constitute a board of directors. The directors and the other officers of the corporation shall be chosen by ballot at each annual meeting and shall hold office for one year and until others are chosen and qualified in their stead.

SECTION 5. The treasurer shall give bonds with sureties for the faithful discharge of his duties, in such sum as the directors may require, and he shall have the custody of all moneys, bonds, deeds, notes and securities of the corporation [except his own bond], which he shall keep, manage and invest under the direction and control of the board of directors, or their committee appointed for the purpose, and he shall pay no money except upon the order of the board of directors or of their committee duly authorized.

Treasurer to give bonds, etc.

SECTION 6. The directors shall have entire charge of the home, of the general business and property of the corporation, and of the admission and discharge of inmates. They may perform the duties required of them by committees chosen from their number, and during the intervals of their meetings may act by an executive committee. They shall have the power to enter into and bind the corporation by such contracts as they may deem advantageous. They may appoint all necessary officers, assistants and servants for the care of the home and beneficiaries, with such salaries and allowances as they may from time to time determine, may remove the same at pleasure, may make all rules and regulations, not repugnant to the will of Augustus Knowlton or to the laws of this Commonwealth, for their own government and for the government of such officers, assistants and servants, for the admission, acceptance, discharge, removal, control and care of inmates, and for the well ordering and conducting of the respective departments, as to them shall seem proper and expedient; and the same may be altered or amended by the corporation at its annual meeting, or at any legal meeting specially called for that purpose. They shall manage, invest and dispose of the property of the corporation, and shall receive and collect donations and bequests, but no sale or transfer of any property and no payment from the treasury shall be made without their order, or that of a committee duly authorized by them.

Directors, powers and duties.

SECTION 7. The secretary shall notify and attend all meetings of the corporation, of the directors and executive committee, and shall keep a record of the doings of each.

Secretary.

SECTION 8. Said corporation may hold real estate to the value of fifty thousand dollars, and personal property to the value of two hundred thousand dollars.

Corporation may hold real estate, etc.

Interest of members to vest in corporation.

SECTION 9. All interest of any member of said corporation in its property shall terminate and vest in the corporation upon his ceasing to be a member thereof, by death, resignation, expulsion or otherwise.

SECTION 10. This act shall take effect upon its passage.

Approved February 19, 1896.

Chap. 99. AN ACT RELATIVE TO THE TITLE OF THE SECOND SOCIETY OF UNIVERSALISTS IN THE TOWN OF BOSTON TO CERTAIN PROPERTY.

Be it enacted, etc., as follows:

Title to certain estate not to be invalid.

The title of the Second Society of Universalists in the town of Boston to the estate on School street in the city of Boston, conveyed to it by a deed from James M. Jacobs and John K. Deane, dated the first day of January in the year eighteen hundred and seventy-nine and recorded in the registry of deeds for Suffolk county, libro fourteen hundred and forty-five, page sixty-eight, shall not be invalid by reason of anything contained in section two of chapter ninety-six of the acts of the year eighteen hundred and sixteen, entitled, "An act to incorporate the Second Society of Universalists in Boston."

Approved February 19, 1896.

Chap. 100 AN ACT AUTHORIZING THE BOARD OF STREET COMMISSIONERS OF BOSTON TO ACCEPT ABERDEEN STREET AT A WIDTH OF FORTY FEET.

Be it enacted, etc., as follows:

Aberdeen street may be accepted as a public highway, etc.

SECTION 1. The board of street commissioners of the city of Boston may lay out and accept as a public highway, at a width of forty feet, the street or way now known as Aberdeen street, in ward twenty-two of said city.

SECTION 2. This act shall take effect upon its passage.

Approved February 19, 1896.

Chap. 101 AN ACT TO EXTEND THE CHARTER OF THE GLADES ASSOCIATION.

Be it enacted, etc., as follows:

Charter extended.

SECTION 1. The Glades Association shall be and remain a body corporate for the period of ten years after the expiration of its present charter, subject to the provisions

of all laws which now are or hereafter may be in force relating to such corporations.

SECTION 2. This act shall take effect upon its passage.

Approved February 19, 1896.

AN ACT CONCERNING FRATERNAL BENEFICIARY ORGANIZATIONS.

Chap. 102

Be it enacted, etc., as follows:

SECTION 1. Section sixteen of chapter three hundred and sixty-seven of the acts of the year eighteen hundred and ninety-four is hereby amended by striking out in the twenty-third line, the words "re-incorporate under", and inserting in place thereof the words: — adopt the provisions of, — so that said section shall read as follows: —

Section 16. Any fraternal beneficiary corporation existing under the laws of this Commonwealth, and now engaged in transacting business as herein defined, may re-incorporate under the provisions of this act: *provided*, that nothing in this act contained shall be construed as requiring or making it obligatory upon any such corporation to re-incorporate; and any such corporation may continue to exercise all rights, powers and privileges conferred by this act or its articles of incorporation not inconsistent herewith, and shall be subject to the requirements and penalties of this act the same as if re-incorporated hereunder. No charter granted under the provisions of this act shall continue valid after one year from the date of such charter unless the organization has been completed and business begun thereunder. All charters heretofore granted under chapter four hundred and twenty-nine of the acts of the year eighteen hundred and eighty-eight and acts amendatory thereof, and all charters hereafter granted under this act, shall become invalid and of no force if no business thereunder shall be transacted for a period of twelve months. Any such corporation having three thousand or more members may, with the approval of the insurance commissioner, adopt the provisions of chapter four hundred and twenty-one of the acts of the year eighteen hundred and ninety, and thereafter conduct its business in accordance with the provisions of said chapter.

1894, 367, § 16, amended.

Certain existing corporations may re incorporate, etc.

Provido.

SECTION 2. This act shall take effect upon its passage.

Approved February 19, 1896.

Chap.103 AN ACT TO AUTHORIZE THE TOWN OF MELROSE TO INCUR ADDITIONAL INDEBTEDNESS FOR THE PURPOSE OF CONSTRUCTING A SYSTEM OF SEWERAGE.

Be it enacted, etc., as follows :

Melrose Sewerage Loan, Act of 1896.

SECTION 1. The town of Melrose, for the purpose of defraying the expense of laying, making and maintaining a system of main drains and common sewers, is hereby authorized to issue from time to time as may be required therefor, in addition to the amount heretofore authorized, bonds, notes or scrip to an amount not exceeding fifty thousand dollars; such bonds, notes or scrip shall bear on their face, Melrose Sewerage Loan, Act of 1896, shall be payable at the expiration of periods not exceeding thirty years from the date of issue, shall bear interest payable semi-annually at a rate not exceeding four per cent. per annum, and shall be signed by the treasurer and countersigned by the sewer commissioners of said town. Said town may sell such securities or any part thereof from time to time at public or private sale; but none of said bonds, notes or scrip shall be issued or sold except in compliance with the vote of said town, nor for less than the par value thereof.

Not to be included in determining debt limit.

SECTION 2. The said bonds, together with those heretofore issued for the purpose of laying, making and maintaining a system of main drains and common sewers, shall not be included or reckoned in determining the authorized limit of indebtedness of the town of Melrose.

Payment, etc., of assessments.

SECTION 3. The board of sewer commissioners of said town, upon the completion of such sewer system as said town may adopt, or any section thereof, shall levy an assessment upon the owners of the estates benefited thereby, and shall transmit to the collector of taxes of said town a list of persons assessed, together with the amount due from each. Every person shall pay his assessment to the said collector within three months after said list has been so transmitted: *provided*, that the board having charge of such assessment may apportion the payment as provided in section three of chapter three hundred and twenty-three of the acts of the year eighteen hundred and ninety-four. The collector shall serve upon the person assessed, or upon any person occupying or having charge of the estate upon which the assessment is made, a notice stating the amount

Proviso.

due and the time when the same is payable; such notice placed in the mail, postage prepaid, addressed to the owner, occupant or person having charge of the estate assessed, to his address last known to the collector, within one month after said list is committed to the collector, shall be deemed a sufficient notice under this section. Said assessment shall not be invalid by reason of any mistake in the name of the owner of the real estate to be assessed, notice of such assessment having been given as aforesaid.

SECTION 4. Assessments so made shall constitute a lien on the estates included in the fixed depth determined by the said town under the provisions of section seven of chapter fifty of the Public Statutes, for two years after the same are made and committed to the collector for collection, or in case of apportionment, for two years after the last instalment is due, and may, with incidental costs and expenses, be levied by sales of such estate if the assessment is not paid within three months after the date of notice from said collector that the list has been transmitted to the collector, or in case of apportionment, within three months after each assessment is payable; such sales to be conducted and the owners of such estates to have the same right to redeem as in cases of sales for the non-payment of taxes. Such assessments may also be collected by action of contract brought at any time within six years after the same may be due. Any person aggrieved by such assessment may apply to the board having charge of such assessment for an abatement of the same, and may appeal from the decision of said board in the manner now provided by law for appeals from assessments for construction of sewers.

Assessments to constitute a lien on estates, etc.

Persons aggrieved may apply for abatement.

SECTION 5. Section two of chapter three hundred and twenty-three of the acts of the year eighteen hundred and ninety-four is hereby amended by striking out the words "assessments and", so that the town of Melrose may expend all moneys received from assessing upon real estate any part of the cost of laying, making, maintaining and repairing common sewers, in defraying the expense of laying, making and maintaining a system of main drains and common sewers in the town of Melrose.

1894, 323, § 2, amended.

SECTION 6. This act shall take effect upon its passage.

Approved February 20, 1896.

Chap. 104 AN ACT MAKING APPROPRIATIONS FOR SUNDRY CHARITABLE EXPENSES.

Be it enacted, etc., as follows:

Appropriations. SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, to meet expenses for the year ending on the thirty-first day of December in the year eighteen hundred and ninety-six, to wit:—

STATE BOARD OF LUNACY AND CHARITY.

Board of lunacy and charity.	For expenses of the state board of lunacy and charity, including travelling and other necessary expenses of members, and salary and expenses of the clerk and auditor of said board, a sum not exceeding five thousand dollars.
Indoor poor.	For salaries and expenses in the department of the indoor poor, a sum not exceeding forty thousand dollars.
Outdoor poor.	For salaries and expenses in the department of the outdoor poor, a sum not exceeding twenty-four thousand three hundred dollars.
Inspector of institutions.	For salaries and expenses in the department of the inspector of institutions, a sum not exceeding twelve thousand dollars.
Auxiliary visitors.	For travelling and other necessary expenses of the auxiliary visitors of the state board of lunacy and charity, a sum not exceeding fifteen hundred dollars.

MISCELLANEOUS CHARITABLE.

Transportation of state paupers.	For transportation of state paupers, a sum not exceeding twenty thousand dollars.
State lunatic paupers.	For the support and relief of state paupers in state lunatic hospitals and asylums of the Commonwealth, and of state lunatic paupers boarded out in families, for the present and previous years, a sum not exceeding one hundred and ninety thousand dollars.
Maintenance of insane paupers by certain towns.	The reimbursement of expenses incurred by certain towns in the maintenance of the insane, as provided for by chapter two hundred and forty-three of the acts of the year eighteen hundred and ninety-two, shall be paid from the appropriation for the support of state lunatic paupers, and any unpaid bills of previous years may be paid from the appropriation of the present year.

For expenses attending the management of cases of settlement and bastardy, a sum not exceeding one thousand dollars.

Cases of settlement and bastardy.

For the care and maintenance of indigent and neglected children and juvenile offenders, to include expenses in connection with the same, a sum not exceeding eighty thousand dollars.

Indigent and neglected children, etc.

For the support of state paupers in the Massachusetts School for the Feeble-minded and the Hospital Cottages for Children, at Baldwinville, a sum not exceeding ten thousand dollars.

Support of certain state paupers.

For the support of sick state paupers by cities and towns, for the present and previous years, the same to include cases of wife settlement, a sum not exceeding sixty-five thousand dollars.

Sick state paupers.

For the burial of state paupers by cities and towns, for the present and previous years, a sum not exceeding ten thousand dollars.

Burial of state paupers.

For temporary aid for state paupers and shipwrecked seamen by cities and towns, for the present and previous years, a sum not exceeding twenty thousand dollars.

Temporary aid.

For the support and transportation of unsettled pauper infants in this Commonwealth, including infants in infant asylums, a sum not exceeding twenty-five thousand dollars.

Pauper infants.

For expenses in connection with smallpox and other diseases dangerous to the public health, for the present and previous years, a sum not exceeding three thousand dollars.

Dangerous diseases.

SECTION 2. This act shall take effect upon its passage.

Approved February 25, 1896.

AN ACT TO AUTHORIZE THE GREENFIELD AND TURNERS FALLS STREET RAILWAY COMPANY TO PURCHASE THE PROPERTY OF THE MONTAGUE STREET RAILWAY COMPANY, TO INCREASE ITS CAPITAL STOCK AND TO ISSUE BONDS.

Chap. 105

Be it enacted, etc., as follows:

SECTION 1. The Greenfield and Turners Falls Street Railway Company is hereby authorized to purchase and pay for the rights, franchise and property of the Montague Street Railway Company, and said Montague Street Railway Company is hereby authorized to sell, convey and assign its franchise and property, and all the rights, easements, privileges, locations and powers granted or in any

May purchase franchise, etc., of Montague Street Railway Company.

Proviso.

way belonging to it, to the said Greenfield and Turners Falls Street Railway Company, which company shall, upon such conveyance being made, have and enjoy all rights, powers, privileges, locations, easements, franchises and property which heretofore belonged to or were in any way owned by the said Montague Street Railway Company, subject to the duties, liabilities and restrictions applicable to the same under general laws relating to street railway companies: *provided, however*, that such purchase and sale shall not be valid unless agreed to by a majority of the board of directors of each of said corporations and by a majority in interest of the stockholders of each corporation at meetings duly called for that purpose, and approved by the board of railroad commissioners in the manner provided by law.

May increase capital stock, issue bonds, etc.

SECTION 2. Said corporation may, for the purpose of carrying out the authority hereby granted, and for the purpose of building or rebuilding its road over locations now or hereafter granted, and of equipping the same, by votes of a majority in interest of its stockholders, at meetings called for the purpose, increase its capital stock to an amount not to exceed one hundred thousand dollars, and issue bonds not exceeding the amount of such capital stock, secured by mortgage of the whole or part of its franchise and property, subject to the general laws relative thereto.

SECTION 3. This act shall take effect upon its passage.

Approved February 25, 1896.

Chap. 106 AN ACT TO AUTHORIZE THE TOWN OF HARDWICK TO PAY A CERTAIN SUM OF MONEY TO THE ADMINISTRATOR OF THE ESTATE OF JOHN J. WILSON.

Be it enacted, etc., as follows:

In favor of estate of John J. Wilson.

SECTION 1. The town of Hardwick may, if the town so votes in a town meeting duly called for that purpose, pay the sum of one thousand dollars from the treasury of said town to the administrator of the estate of John J. Wilson, said Wilson having been killed by an accident occurring on one of the highways of said town in the month of December in the year eighteen hundred and ninety-four.

SECTION 2. This act shall take effect upon its passage.

Approved February 25, 1896.

AN ACT TO INCORPORATE THE NEWTON CENTRE SAVINGS BANK.

Chap.107

Be it enacted, etc., as follows:

SECTION 1. Edward H. Mason, Bertrand E. Taylor, Frederick H. Hovey, Robert R. Bishop, William M. Flanders, David H. Andrews, Albert F. Hayward, George Warren, Charles Rufus Brown, Seward W. Jones, Charles A. Vinal, Charles H. Guild, George Bullen, Frank Edmands, John J. Noble, Arthur Muldoon, George F. Richardson, Eugene Fanning, Mellen Bray, Isaac R. Stevens, Frank J. Hale, William R. Dresser, Dwight Chester, Erastus T. Colburn, Harry K. Dresser, their associates and successors, are hereby made a corporation by the name of the Newton Centre Savings Bank, with authority to establish and maintain a savings bank in that part of the city of Newton known as Newton Centre; with all the powers and privileges and subject to all the duties, liabilities and restrictions set forth in all general laws which now are or may hereafter be in force relating to savings banks and institutions for savings.

Newton Centre Savings Bank incorporated.

SECTION 2. This act shall take effect upon its passage.

Approved February 25, 1896.

AN ACT RELATIVE TO TAXES ON COLLATERAL LEGACIES AND SUCCESSIONS.

Chap.108

Be it enacted, etc., as follows:

SECTION 1. Section one of chapter three hundred and seven of the acts of the year eighteen hundred and ninety-five is hereby amended by inserting after the word "ninety-one", in the fourth line, the words: — and no distributive share of an estate, — and by inserting after the word "bequest", in the fifth line, the words: — or distributive share, — so as to read as follows: — *Section 1.* No bequest of a testator whose estate is subject to taxation under the provisions of chapter four hundred and twenty-five of the acts of the year eighteen hundred and ninety-one, and no distributive share of an estate, shall be subject to the provisions of said chapter unless the value of such bequest or distributive share exceeds the sum of five hundred dollars, nor shall bequests to towns for any public purpose be subject to a tax under the provisions of said chapter.

1895, 307, § 1, amended.

Certain bequests, etc., not to be subject to a tax.

SECTION 2. This act shall take effect upon its passage.

Approved February 25, 1896.

Chap.109

AN ACT RELATIVE TO CAUCUSES AND WARD COMMITTEES.

*Be it enacted, etc., as follows:*New check lists
may be pre-
pared.

SECTION 1. The registrars of voters of the several cities, and the board of election commissioners of the city of Boston, may prepare from the check lists last published in the year eighteen hundred and ninety-five, check lists containing the names of voters in the new wards established in the year eighteen hundred and ninety-five.

Caucus laws to
apply to certain
caucuses in city
of Boston, etc.

SECTION 2. The laws relating to caucuses shall, in the city of Boston, apply to all caucuses of a political party for the choice of delegates to any political convention, or of members of a ward committee, or of candidates to be voted for at any national, state or city election; and any such caucus held during the current year for the choice of delegates to a convention or of members of a ward committee shall, as the city committee of the party may determine, use in such caucuses the check lists prepared as aforesaid, or the check lists last published in the year eighteen hundred and ninety-five, with such additions thereto as shall be made according to law.

Caucuses to fill
vacancies.

SECTION 3. All caucuses of a political party for filling vacancies in any national, state or city office shall be called during the year eighteen hundred and ninety-six by the city or town committee existing at the time of calling such caucuses; and the check lists last published in the year eighteen hundred and ninety-five, with such additions thereto as shall be made according to law, shall be used at such caucuses.

Election of ward
committees.

SECTION 4. Any political party may in the year eighteen hundred and ninety-six elect its ward committees to serve for such term as the city committee existing at the passage of this act may determine, and thereafter shall elect such committees at the times and for the terms prescribed by law.

SECTION 5. This act shall take effect upon its passage.

*Approved February 25, 1896.***Chap.110**

AN ACT RELATIVE TO FISHING IN LAKE CHAUBUNAGUNGAMAUG IN THE TOWN OF WEBSTER.

*Be it enacted, etc., as follows:*Taking, etc., of
fish in certain
waters re-
stricted.

Whoever takes or catches any fish in the waters of Lake Chaubunagungamaug in the town of Webster, between

the first day of January and the first day of June in each year, shall be punished by a fine not exceeding twenty dollars for each offence.

Approved February 25, 1896.

AN ACT TO INCORPORATE THE AMHERST AND SUNDERLAND STREET RAILWAY COMPANY. Chap. 111

Be it enacted, etc., as follows :

SECTION 1. Charles Deuel, Walter D. Cowles, William H. H. Morgan, Mendall W. Howard, Henry M. McCloud and Frederick L. Whitmore, their associates, successors and assigns, are hereby made a corporation under the name of the Amherst and Sunderland Street Railway Company ; with all the powers and privileges and subject to all the duties, conditions and restrictions set forth in all general laws that now are or hereafter may be in force relating to street railway companies, except as hereinafter provided.

Amherst and
Sunderland
Street Railway
Company incor-
porated.

SECTION 2. Said company may locate, construct, maintain and operate its railway and electrical equipment in such manner as may be convenient and necessary, in part upon private land, which it may obtain by purchase or lease, and upon streets and highways in the towns of Amherst, Sunderland and Hadley, subject to the approval and under the control of the selectmen of said towns, respectively, as provided by law : *provided, however*, that no location shall be granted to said street railway company in the town of Amherst unless the said town vote to authorize its selectmen to grant said location by a majority vote of the voters thereof present and voting thereon at a meeting called for the purpose.

May construct,
etc., its railway
in certain towns.

Proviso.

SECTION 3. The location of said street railway outside of public streets and highways shall not exceed fifty feet in width.

Location.

SECTION 4. Said company may acquire, by purchase or otherwise, all real estate necessary for its power stations and other uses incidental to the proper maintenance of its railway.

May acquire
necessary real
estate.

SECTION 5. The capital stock of said company shall not exceed fifty thousand dollars. Said company, for the purpose of meeting expenses incurred under this act, may also issue bonds, not exceeding the amount of its capital stock, payable within not exceeding thirty years from the date thereof, may secure the same by mortgage of its franchise and property, and may in such mortgage reserve to

Capital stock,
bonds, etc.

its directors the right to sell or otherwise in due course of business dispose of property included therein which may become unsuitable for use, provided an equivalent in value is substituted therefor.

Issue, etc.,
of stock and
bonds.

SECTION 6. All stock and bonds authorized by this act shall be issued and disposed of in accordance with the provisions of all general laws relative to the issue of stock and bonds by street railway companies.

May transact
business of a
common carrier
of merchandise.

SECTION 7. Said company may, subject to the control of the selectmen of said towns, respectively, and in accordance with regulations prescribed by said selectmen, transact the business of a common carrier of merchandise, and may use its tracks for that purpose: *provided*, that they shall not be so used in any town until the town has authorized such use by a two thirds vote of the voters thereof present and voting thereon at a meeting called for the purpose.

Proviso.

To become void
under certain
conditions.

SECTION 8. The provisions of this act shall become void so far as relates to the right of said company in any town where no portion of the proposed road has been built and put in operation at the end of two years from the passage of this act.

SECTION 9. This act shall take effect upon its passage.

Approved February 27, 1896.

Chap.112 AN ACT TO ALLOW THE MASTER, WARDENS AND MEMBERS OF THE GRAND LODGE OF MASONS OF MASSACHUSETTS TO HOLD ADDITIONAL REAL AND PERSONAL ESTATE.

Be it enacted, etc., as follows:

May hold addi-
tional estate.

SECTION 1. The master, wardens and members of the Grand Lodge of Masons in Massachusetts may take and hold real estate not exceeding, in all, the value of two million dollars, and personal estate not exceeding, in all, the value of two hundred thousand dollars.

SECTION 2. This act shall take effect upon its passage.

Approved February 27, 1896.

Chap.113 AN ACT RELATING TO PUBLIC PARKS IN THE TOWN OF ARLINGTON.

Be it enacted, etc., as follows:

May take cer-
tain real estate,
etc., for park
purposes.

SECTION 1. The board of park commissioners of the town of Arlington, at any time within one year after the passage of this act, may take and hold by purchase or

otherwise any and all such real estate and lands, not exceeding thirty acres in extent, as said board may deem advisable, within that part of said town which is bounded by Spring street on the southwest, Highland avenue on the northwest, Gray street and the extension thereof to Highland avenue on the northeast, and Pleasant street on the southeast, and also any and all such real estate and lands, not exceeding ten acres in extent, as said board may deem advisable, within that part of said town which is bounded on the southeast by a new street leading from Chestnut street to Mount Pleasant cemetery and by said cemetery and other land of said town, on the east and northeast by lower Mystic pond and by land of Niles, on the northwest by Mystic and Chestnut streets from land of Niles to said new street; and may lay out, maintain and improve the same as a public park or parks.

SECTION 2. Said board shall, within sixty days after the taking of any lands and real estate as aforesaid under this act, otherwise than by purchase or gift, file and cause to be recorded in the registry of deeds of the southern district of the county of Middlesex a description thereof sufficiently accurate for identification, with a statement of the purpose for which the same were taken.

Description of
lands, etc., to
be recorded.

SECTION 3. Said board shall estimate and determine all damages sustained by any person by the taking of land or by other acts of said board in the execution of the power vested in it by this act; but a person aggrieved by any such determination of said board may have his damages assessed by a jury of the superior court, in the same manner as is provided by law with respect to damages sustained by reason of the laying out of ways. If upon trial damages are increased beyond the award the party in whose favor the award was made shall recover his costs; otherwise he shall pay costs; and the costs shall be taxed as in civil cases.

Damages.

SECTION 4. The fee of any land taken or purchased by said board for a park under this act shall vest in said town of Arlington; and said town shall be liable to pay all damages assessed or determined as provided in the preceding section, and all costs and expenses incurred by said board of park commissioners in the execution of the powers vested in said board by this act.

Fee of land to
vest in town,
etc.

SECTION 5. At any time within two years after any land is taken or purchased for a park or parks under this

Certain real
estate may be
assessed, etc.

Certain real estate may be assessed, etc.

act said board of park commissioners, if in its opinion any real estate in said town receives any benefit and advantage from such taking or purchasing, or from the locating or laying out of a park or parks under this act, beyond the general advantage to all real estate in said town, may adjudge and determine the value of such benefit and advantage to any such real estate, and may assess upon the same a proportionate share of the cost of land so purchased or taken, and of the expense of laying out, grading and making such park or parks; but in no case shall the assessment exceed one half of the amount of such adjudged benefit and advantage. Said real estate subject to such assessment may include the remainder of the land of which a part is taken for said public park or parks, and real estate which does not abut upon the park, from the laying out of which the betterments accrue, or upon a street or way bounded upon said park.

Assessments to constitute a lien upon real estate.

SECTION 6. Assessments made under the preceding section shall constitute a lien upon the real estate so assessed, and shall be collected and enforced with the same rights to owners to surrender their estates, and the same proceedings thereupon, and with the same rights of and proceedings upon appeal, as are provided by chapter fifty-one of the Public Statutes.

Arlington Park Loan.

SECTION 7. For the purpose of defraying the expenses incurred under the provisions of this act or under the provisions of chapter one hundred and fifty-four of the acts of the year eighteen hundred and eighty-two the board of selectmen of the town of Arlington shall have authority to issue from time to time in excess of the limit allowed by law scrip or bonds, to be denominated on the face thereof, Arlington Park Loan, to the amount of fifteen thousand dollars, and to a further amount not exceeding the sums hereafter appropriated by said town for the purchase or taking of lands for a park or parks, bearing interest at a rate not exceeding four per cent. per annum, payable semi-annually, the principal to be payable at periods of not more than fifty years from the issuing of such scrip or bonds, respectively. Said board of selectmen may sell the same from time to time, or pledge the same for money borrowed for the above purposes; but the same shall not be sold or pledged for less than the par value. For the redemption of said loan said town at its next annual meeting, or at any special meeting called for

the purpose during the current year, shall establish a sinking fund sufficient with the accumulating interest to provide for the payment of such loan at maturity. All premiums received on the sale of said bonds and scrip, and all amounts received for betterments, shall be paid into such sinking fund, until such fund shall amount to a sum sufficient with its accumulations to pay at maturity the bonds for the security of which the fund was established.

SECTION 8. This act shall not be construed to limit the power of said board of park commissioners to take, in addition to the land herein specified, other lands in said town for park purposes, in accordance with the provisions of chapter one hundred and fifty-four of the acts of the year eighteen hundred and eighty-two.

Not to limit certain powers of park commissioners.

SECTION 9. This act shall take effect upon its passage.

Approved February 27, 1896.

AN ACT RELATING TO AN ADDITIONAL WATER SUPPLY FOR THE CITY OF PITTSFIELD.

Chap. 114

Be it enacted, etc., as follows:

SECTION 1. Section four of chapter one hundred and eighty-five of the acts of the year eighteen hundred and ninety-two, as amended by chapter ninety-one of the acts of the year eighteen hundred and ninety-four, is hereby amended by striking out in the fourth and fifth lines thereof, the words "to an amount not exceeding fifty thousand dollars", and by striking out in the eighth line thereof, the word "one", and inserting in place thereof the word:—two,—so as to read as follows:—*Section 4.* The said city may, for the purpose of paying the necessary expenses and liabilities incurred under the provisions of this act, and for the purpose of paying the necessary expenses and liabilities to be incurred in other extensions and improvements of the water works of said city, issue from time to time bonds, notes or scrip to an amount not exceeding in the aggregate two hundred thousand dollars. Such bonds, notes or scrip shall bear on the face thereof the words, Pittsfield Water Loan, Act of 1892, shall be payable at the expiration of periods not exceeding thirty years from the date of issue, and shall bear interest payable semi-annually at a rate not exceeding six per centum per annum. Said city shall provide for the payment upon account of the principal sum incurred for

1892, 185, § 4, etc., amended.

Pittsfield Water Loan, Act of 1892.

the construction and maintenance of its water works, not less than the sum of four thousand dollars in each and every year next after the first day of April in the year eighteen hundred and ninety-three, in addition to the sums now required to be paid thereon each year by said city by the provisions of section three of chapter three hundred and forty of the acts of the year eighteen hundred and eighty-five, until all of said debt, both principal and interest, is fully paid and extinguished. The said city may authorize temporary loans to be made by its mayor and treasurer in anticipation of the issue of bonds, notes and scrip hereby authorized, or in anticipation of the payments to be made.

Payment of
loan.

SECTION 2. The city council of the city of Pittsfield may by vote determine that the principal and interest of any bonds issued under the provisions of this act shall be payable in gold coin of the United States of the present standard of weight and fineness.

SECTION 3. This act shall take effect upon its passage.

Approved February 27, 1896.

Chap. 115 AN ACT TO AUTHORIZE THE TOWN OF WALPOLE TO MAKE A WATER LOAN.

Be it enacted, etc., as follows :

May issue
bonds, etc.

SECTION 1. The town of Walpole is hereby authorized to issue bonds to an amount not exceeding twenty thousand dollars, the same to be payable, four thousand dollars in the year nineteen hundred and twenty-one, four thousand dollars in the year nineteen hundred and twenty-two, four thousand dollars in the year nineteen hundred and twenty-three, four thousand dollars in the year nineteen hundred and twenty-four, four thousand dollars in the year nineteen hundred and twenty-five ; and said bonds are to be issued, except as provided herein, in the manner and for the purposes set forth in chapter two hundred and seventy-seven of the acts of the year eighteen hundred and ninety-three, and the proceeds thereof may be used to retire bonds already issued or pledged as authorized by said chapter. This issue is to be considered as part of the amount of one hundred and twenty-five thousand dollars authorized by section five of said chapter two hundred and seventy-seven.

SECTION 2. This act shall take effect upon its passage.

Approved February 27, 1896.

AN ACT GRANTING ADDITIONAL RIGHTS TO THE PROPRIETORS OF
THE NEW MATTAKESSETT CREEKS IN GREAT POND IN EDGAR-
TOWN. Chap. 116

Be it enacted, etc., as follows:

SECTION 1. The Proprietors of the New Mattakessett Creeks, a corporation established by law in the town of Edgartown, are hereby authorized to catch fish for the period of twenty years from the passage of this act, in the Great Pond, so-called, in said Edgartown, by means of nets, seines, drag seines, traps or pounds, as said corporation may determine; but said corporation shall, before the first day of February in each year, pay into the treasury of said town for the use of said town the sum of one hundred dollars.

May catch fish
in Great Pond,
Edgartown.

SECTION 2. Whoever, other than said corporation, catches or takes fish in said Great Pond, except by naturally or artificially baited hook and line, or by spear, shall forfeit one dollar for each fish so caught or taken, and whoever, other than said corporation, catches or takes, or attempts to catch or take, fish in said Great Pond, except by naturally or artificially baited hook and line, or by spear, shall forfeit all seines, boats or other apparatus used in catching or taking or attempting to catch or take fish from said Great Pond. The forfeiture for fish caught or taken may be enforced in an action of tort brought by any person, or by criminal complaint on behalf of the Commonwealth, and in either case the proceeds from said forfeiture shall be paid, one half to the person bringing said action or making said complaint and one half to the county of Dukes County. For the purpose of enforcing the forfeiture thereof any person may seize and keep all seines, boats and other apparatus used in the catching or taking of fish, or in attempting to catch or take fish in said Great Pond contrary to the provisions of this act, and the forfeiture of seines, boats and other apparatus so seized or taken shall be enforced in accordance with the provisions of chapter one hundred and ninety-four of the Public Statutes, except that after the disposition of said seines, boats or other apparatus, the proceeds therefrom shall be paid, one half to the complainant and one half to the county.

Taking, etc., of
fish in Great
Pond regulated.

Approved February 27, 1896.

Chap. 117 AN ACT TO AUTHORIZE THE BOARD OF TRUSTEES OF THE MASSACHUSETTS HOSPITAL FOR CONSUMPTIVES AND TUBERCULAR PATIENTS TO TAKE LAND IN THE TOWN OF RUTLAND FOR HOSPITAL PURPOSES.

Be it enacted, etc., as follows :

May take certain land in Rutland for hospital purposes.

SECTION 1. The board of trustees of the Massachusetts hospital for consumptives and tubercular patients are hereby authorized to take, at any time within one year from the passage of this act, so much land within the town of Rutland, not exceeding two hundred acres including land already purchased, as they may deem necessary for a site for a hospital to be established under chapter five hundred and three of the acts of the year eighteen hundred and ninety-five.

Description of land to be recorded, etc.

SECTION 2. Said trustees shall, within thirty days from the time when they shall take any land under this act, file and cause to be recorded in the office of the register of deeds for the Worcester district of the county of Worcester a certificate describing by metes and bounds the land so taken, and stating that it is taken as a site for a hospital. Said plan and certificate shall state the owners of the land from whom the land is taken, so far as they are known, shall be entitled "Lands Taken in the Town of Rutland for the Massachusetts Hospital for Consumptives and Tubercular Patients", and shall be signed by said trustees, or by a majority of them.

Damages.

SECTION 3. Any person sustaining damage by the taking of land or other property hereunder, who fails to agree with said trustees as to the amount of damage sustained, may have his damages assessed and determined in the manner provided by law where land is taken for the laying out of highways, on application at any time within one year from the taking of such land or other property.

Specified sum may be awarded, etc.

SECTION 4. In any proceeding for the recovery of damages hereunder said trustees may offer in court and consent in writing that a sum therein specified may be awarded as damages to the complainant; and if the complainant shall not accept the same within ten days after he has received notice of such offer, and shall not finally recover a greater sum than the one offered, not including interest on the sum recovered in damages from the date of the offer, said trustees shall be entitled to recover costs

after said date, and the complainant, if he recover damages, shall be allowed costs only to the date of the offer, unless the damages so recovered shall be in excess of the amount offered by said trustees, as aforesaid.

SECTION 5. This act shall take effect upon its passage.

Approved February 27, 1896.

AN ACT MAKING APPROPRIATIONS FOR PRINTING AND BINDING THE REPORTS OF THE DECENNIAL CENSUS OF THE YEAR EIGHTEEN HUNDRED AND NINETY-FIVE, AND FOR EXPENSES IN CONNECTION WITH TAKING SAID CENSUS.

Chap. 118

Be it enacted, etc., as follows :

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, to meet expenses for the year ending on the thirty-first day of December in the year eighteen hundred and ninety-six, to wit : —

Appropriations.

For printing and binding the reports of the decennial census of the year eighteen hundred and ninety-five, as provided for by chapter fifty-two of the resolves of the year eighteen hundred and ninety-five, a sum not exceeding fifteen thousand dollars.

Printing and binding reports of decennial census.

For the payment of the expenses in connection with the taking of the decennial census, as provided for by chapter eight of the acts of the year eighteen hundred and ninety-six, a sum not exceeding seventy-five thousand dollars, the same to be in addition to any amount heretofore appropriated for the same purpose.

Expenses.

SECTION 2. This act shall take effect upon its passage.

Approved February 27, 1896.

AN ACT TO AUTHORIZE THE PITTSFIELD ELECTRIC STREET RAILWAY COMPANY TO CONSTRUCT AND OPERATE ITS RAILWAY IN THE TOWN OF DALTON.

Chap. 119

Be it enacted, etc., as follows :

SECTION 1. The Pittsfield Electric Street Railway Company is hereby authorized to extend and operate its lines in and through the town of Dalton, upon locations that may be granted by the board of selectmen of said town, and subject to such limitations and conditions as may be imposed by said board.

May extend and operate its lines in town of Dalton.

Location.

SECTION 2. Said railway company may construct its tracks over private land and hold the same by purchase or lease, but no location outside of the public streets and highways shall exceed fifty feet in width.

May increase
capital stock,
and issue bonds.
Proviso.

SECTION 3. For the purpose of providing the means of carrying out the authority hereby granted said company may increase its capital stock and issue bonds: *provided*, such additional issue of stock and bonds shall not exceed seventy-five thousand dollars; but only such amounts of stock and bonds shall be issued as may from time to time, upon investigation by the board of railroad commissioners, be deemed and voted by them to be reasonably requisite for the purpose herein set forth; but otherwise than is provided by this act stock or bonds shall not be issued for any purposes not now authorized by statute. The vote of said board determining said issue shall specify the respective amounts of stock and bonds to be issued for the respective purposes to which the proceeds thereof are to be applied; and said company shall not apply said proceeds to any other purpose, and may be enjoined from so doing by any justice of the supreme judicial or superior courts, upon application of any interested party. The capital stock herein authorized to be issued may be subscribed and paid for in cash at par, or sold at public auction, as said board may determine; and the bonds herein authorized to be issued may be either registered or with coupons attached, bearing interest at a rate not exceeding six per cent. per annum, be made payable in gold, and for a term not exceeding twenty years from the date thereof; and to secure the payment of said bonds with the interest thereon said company may make a mortgage of its railway and franchise and any part or all of its property, and may include in said mortgage property thereafter to be acquired; said mortgage to be upon the terms set forth in chapter three hundred and eighty-one of the acts of the year eighteen hundred and ninety-three, and to be security also for any bonds issued thereunder.

Authority to
cease under
certain con-
ditions.

SECTION 4. The authority herein granted shall cease where no portion of the proposed extension has been built and put into operation at the end of two years from the date of the passage of this act.

SECTION 5. This act shall take effect upon its passage.

Approved February 27, 1896.

AN ACT TO AUTHORIZE THE CONWAY ELECTRIC STREET RAILWAY COMPANY TO EXTEND ITS TRACKS, INCREASE ITS CAPITAL STOCK AND ISSUE BONDS. Chap. 120

Be it enacted, etc., as follows:

SECTION 1. The Conway Electric Street Railway Company may, subject to the approval and under the control of the selectmen of the several towns, as provided by general law, extend its tracks and railway westerly through the town of Ashfield, and easterly over and across the Deerfield river and into the town of Deerfield, and may construct and maintain a bridge across said Deerfield river, and locate, construct, maintain and operate its railway upon and over streets and highways in said towns, and in part upon private lands which it may obtain by purchase or lease, and may connect its new locations with its locations in the town of Conway. Said company shall have the same powers in respect to such new locations which it now has in respect to its locations in the town of Conway, and be subject to the same duties, liabilities and restrictions.

May construct and operate its railway in certain towns, etc.

SECTION 2. The proceedings for the fixing of the route and for the location and construction of said railway over all the route lying outside of the streets and public highways of said towns, and for such taking of private land therefor, shall be similar to those prescribed by general law in relation to railroads. All persons and corporations sustaining damage in their property by such taking of land for the location and construction of said railway shall have the same remedies therefor as are provided in chapter one hundred and twelve of the Public Statutes, and by acts in amendment thereof, for persons damaged by railroad corporations.

Location, taking of private property, etc.

Damages.

SECTION 3. The location of said railway outside the public streets and highways shall not exceed fifty feet in width.

Location.

SECTION 4. For the purpose of meeting expenses incurred under this act said company may increase its capital stock, not exceeding fifty thousand dollars, and may from time to time, by vote of the majority in interest of its stockholders, issue coupon or registered bonds to an amount not exceeding twenty-five thousand dollars, such bonds to be secured by a mortgage of its road and franchise. All bonds shall first be approved by some person

May increase capital stock, issue bonds, etc.

Bonds to be approved.

appointed by the corporation for that purpose, who shall certify on each bond that it is properly issued and recorded.

Town of Conway may hold bonds, etc.

SECTION 5. The town of Conway may subscribe for and hold shares of the capital stock or the bonds of said company, to the same amount and in the same manner as prescribed by general law in relation to railroads.

Issue, etc., of stock and bonds.

SECTION 6. All stock and bonds authorized by this act shall be issued and disposed of in accordance with the provisions of all general laws relative to the issue of stock and bonds by street railway companies.

To be void under certain conditions.

SECTION 7. This act shall take effect upon its passage, and shall be void as to all parts of said railway which are not located and constructed in said towns within two years from the passage of this act.

Approved February 28, 1896.

Chap.121 AN ACT TO EXTEND THE TIME WITHIN WHICH THE HARTFORD AND CONNECTICUT WESTERN RAILROAD COMPANY MAY LOCATE AND CONSTRUCT AN EXTENSION OF ITS ROAD.

Be it enacted, etc., as follows:

Time extended.

The time within which the Hartford and Connecticut Western Railroad Company is authorized to locate and construct the extension of its road, provided for by chapter three hundred and eighty-six of the acts of the year eighteen hundred and eighty-nine, is hereby extended until the first day of December in the year eighteen hundred and ninety-nine, but in the construction of the road there shall be no crossing of a public highway at grade.

Approved February 28, 1896.

Chap.122 AN ACT MAKING APPROPRIATIONS FOR SUNDRY EDUCATIONAL EXPENSES.

Be it enacted, etc., as follows:

Appropriations.

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, except as herein provided, to meet expenses for the year ending on the thirty-first day of December in the year eighteen hundred and ninety-six, to wit: —

State board of education, secretary.

For the salary and expenses of the secretary of the state board of education, forty-five hundred dollars, to be paid

out of the moiety of the income of the Massachusetts School Fund applicable to educational purposes.

For clerical and messenger service for the state board of education, a sum not exceeding two thousand dollars.

Clerical and messenger service.

For incidental and contingent expenses of the state board of education and of the secretary thereof, a sum not exceeding eighteen hundred dollars.

Expenses.

For travelling and other expenses of the members of the state board of education, a sum not exceeding one thousand dollars.

Expenses of members of board.

For the support of state normal schools, including accountants and certain other expenses of the boarding houses at Bridgewater, Framingham and Westfield, a sum not exceeding one hundred and forty-three thousand one hundred and twenty-five dollars, to be paid out of the moiety of the income of the Massachusetts School Fund applicable to educational purposes, the excess, if any, to be paid from the treasury of the Commonwealth.

State normal schools.

For the support of the state normal art school, a sum not exceeding nineteen thousand seven hundred and ninety dollars, to be paid out of the moiety of the income of the Massachusetts School Fund applicable to educational purposes, the excess, if any, to be paid from the treasury of the Commonwealth.

State normal art school.

For expenses of teachers' institutes, a sum not exceeding two thousand dollars, to be paid out of the moiety of the income of the Massachusetts School Fund applicable to educational purposes.

Teachers' institutes.

For the Massachusetts teachers' association, the sum of three hundred dollars, to be paid out of the moiety of the income of the Massachusetts School Fund applicable to educational purposes, subject to the approval of the state board of education.

Massachusetts teachers' association.

For expenses of county teachers' associations, a sum not exceeding three hundred dollars, to be paid out of the moiety of the income of the Massachusetts School Fund applicable to educational purposes.

County teachers' associations.

For the Dukes County educational association, the sum of fifty dollars.

Dukes County educational association.

For aid to pupils in state normal schools, a sum not exceeding four thousand dollars, payable in semi-annual instalments, to be expended under the direction of the state board of education.

Aid to pupils in normal schools.

School superintendents in small towns.

To enable small towns to provide themselves with school superintendents, a sum not exceeding sixty-two thousand five hundred dollars.

Education of deaf pupils.

For the education of deaf pupils of the Commonwealth in the schools designated by law, a sum not exceeding forty-five thousand dollars.

Educational museum.

For the care and maintenance of the educational museum, the sum of fifteen hundred dollars.

Examination and certification of school teachers.

For expenses in connection with the examination and certification of school teachers by state authority, a sum not exceeding five hundred dollars.

SECTION 2. This act shall take effect upon its passage.

Approved February 28, 1896.

Chap.123

AN ACT AUTHORIZING THE STREET COMMISSIONERS OF BOSTON TO ACCEPT MINER STREET AT A WIDTH OF FORTY FEET.

Be it enacted, etc., as follows:

May lay out, etc., Miner street as a public highway.

SECTION 1. The board of street commissioners of the city of Boston are hereby authorized to lay out and accept as a public highway, at a width of forty feet, the street or way now known as Miner street, in ward eleven of said city.

SECTION 2. This act shall take effect upon its passage.

Approved March 3, 1896.

Chap.124

AN ACT TO AUTHORIZE FOREIGN BURGLARY INSURANCE COMPANIES TO TRANSACT BUSINESS IN THIS COMMONWEALTH.

Be it enacted, etc., as follows:

May transact business in this Commonwealth.

SECTION 1. Duly organized corporations of any other state authorized to transact the business of burglary insurance may be admitted to transact such business in this Commonwealth, upon the conditions required under chapter seventy-seven of the acts of the year eighteen hundred and ninety-four.

SECTION 2. This act shall take effect upon its passage.

Approved March 3, 1896.

Chap.125

AN ACT TO AUTHORIZE THE NORTH ADAMS HOSPITAL TO ESTABLISH AND MAINTAIN A TRAINING SCHOOL FOR NURSES.

Be it enacted, etc., as follows:

May establish a training school for nurses.

SECTION 1. The North Adams Hospital may, in addition to the powers conferred upon it by law, establish and

maintain at North Adams a training school for nurses, for the purpose of educating and training women for intelligent and effective service to the sick and helpless.

SECTION 2. This act shall take effect upon its passage.

Approved March 3, 1896.

AN ACT RELATIVE TO MUTUAL COMPANIES WITH A GUARANTY CAPITAL. Chap. 126

Be it enacted, etc., as follows:

SECTION 1. Section thirty-nine of chapter five hundred and twenty-two of the acts of the year eighteen hundred and ninety-four is hereby amended by inserting in the second line, after the word "organized", the words:— nor by a mutual fire insurance company with a guaranty capital of less than one hundred thousand dollars,—so that the section as amended shall read as follows:—*Section 39.* No policy shall be issued by a purely mutual fire insurance company hereafter organized, nor by a mutual fire insurance company with a guaranty capital of less than one hundred thousand dollars, until not less than one million dollars of insurance, in not less than four hundred separate risks upon property located in Massachusetts, has been subscribed for and entered on its books; except that in any town of less than four thousand inhabitants a company may be formed to insure only dwelling houses, farm buildings, and their contents within such town, and may issue policies when fifty thousand dollars of insurance has been subscribed for. No officer or other person whose duty it is to determine the character of the risks, and upon whose decision the applications shall be accepted or rejected by a mutual fire insurance company, shall receive as any part of his compensation a commission upon the premiums, but his compensation shall be a fixed salary and such share of the net profits as the directors may determine. Nor shall such officer or person aforesaid be an employee of any officer or agent of the company.

1894, 522, § 30, amended.

Conditions under which certain fire insurance policies may issue.

SECTION 2. This act shall take effect upon its passage.

Approved March 3, 1896.

Chap. 127 AN ACT TO EXTEND THE CORPORATE POWERS OF THE LOWELL AND SUBURBAN STREET RAILWAY COMPANY.

Be it enacted, etc., as follows:

May lease franchise, property, etc., of Nashua Street Railway, etc.

SECTION 1. The Lowell and Suburban Street Railway Company is hereby authorized and empowered to take a lease of all the property, rights, privileges, easements and franchises of the Nashua Street Railway, a body corporate established under the laws of the state of New Hampshire, and to operate said railway when so leased, subject to all the duties, liabilities and restrictions imposed upon said lessee; and said Lowell and Suburban Street Railway Company is hereby authorized and empowered to generate, transmit and supply electricity in this Commonwealth for all purposes incidental to the operation of street railways in said New Hampshire.

May construct and operate its railway in certain towns, etc.

SECTION 2. Said Lowell and Suburban Street Railway Company is hereby authorized and empowered to construct, within three years from the passage of this act, and to maintain and operate its railway in and upon such of the highways and town ways of the towns of Andover, Dunstable and Pepperell, in this Commonwealth, as locations therefor may hereafter from time to time be granted by the boards of selectmen of said respective towns, in accordance with the statutes of this Commonwealth; and also in and upon private lands, when permission so to do shall hereafter have first been obtained from the owners of said lands, in all cities and towns wherein locations for its railway under its charter and amendments thereto have now or may hereafter under this act be lawfully granted it.

Not to carry freight, etc.

SECTION 3. Nothing contained in this act shall be construed as giving to said Lowell and Suburban Street Railway Company or said Nashua Street Railway the right to carry freight or express matter within the Commonwealth of Massachusetts.

Terms of lease to be approved, etc.

SECTION 4. No lease executed under the authority of this act shall be valid or binding until the terms thereof have been agreed to by a majority of the directors and a majority in interest of the stock of both lessor and lessee, nor until approved by the board of railroad commissioners of this Commonwealth, in the manner provided by law.

SECTION 5. This act shall take effect upon its passage.

Approved March 3, 1896.

AN ACT RELATIVE TO THE DATE FOR SENDING TO THE CONTROLLER OF COUNTY ACCOUNTS COPIES OF ESTIMATES FOR COUNTY TAXES. *Chap.128*

Be it enacted, etc., as follows :

The copy of estimates of county taxes made annually by the county commissioners for each county, and required by the provisions of section one of chapter one hundred and forty-three of the acts of the year eighteen hundred and ninety-five to be sent to the controller of county accounts by the clerk of the commissioners, may hereafter be sent to said controller on or before the fifteenth day of January in each year, instead of on or before the fifteenth day of December as provided in said section. Time extended.

Approved March 3, 1896.

AN ACT TO CHANGE THE NAME OF THE FRANKLIN METHODIST EPISCOPAL CHAPEL IN BROCKTON. *Chap.129*

Be it enacted, etc., as follows :

SECTION 1. The name of the Franklin Methodist Episcopal Chapel in Brockton is hereby changed to the Franklin Methodist Episcopal Church in Brockton. Name changed.

SECTION 2. All gifts, grants, bequests or devises heretofore or hereafter made to said corporation by either of said names shall vest in the Franklin Methodist Episcopal Church in Brockton. Gifts, bequests, etc.

SECTION 3. This act shall take effect upon its passage.

Approved March 3, 1896.

AN ACT TO AUTHORIZE THE QUINCY AND BOSTON STREET RAILWAY COMPANY TO LEASE OR PURCHASE THE PROPERTY OF THE BRAINTREE STREET RAILWAY COMPANY, AND TO INCREASE ITS CAPITAL STOCK. *Chap.130*

Be it enacted, etc., as follows :

SECTION 1. The Quincy and Boston Street Railway Company is hereby authorized to lease or purchase the railway, franchise, property, rights and easements of the Braintree Street Railway Company, and the Braintree Street Railway Company is hereby authorized to lease or sell and convey the same to the Quincy and Boston Street Railway Company, which latter company shall, upon such lease or conveyance, and in accordance with May lease or purchase franchise, etc., of the Braintree Street Railway Company.

the terms thereof, have and enjoy the powers and privileges and be subject to the duties, liabilities and restrictions of the said Braintree Street Railway Company: *provided, however,* that no such lease or purchase and sale shall be valid or binding until the terms thereof have been agreed to by a majority of the directors of each of said companies, and by a majority in interest of their respective stockholders at meetings duly called for the purpose, and approved by the board of railroad commissioners in the manner provided by law. Such lease or purchase shall be made in accordance with all general laws relating thereto.

May increase
capital stock,
etc.

SECTION 2. For the purpose of purchasing the railway, franchise, property, rights and easements of the Braintree Street Railway Company the said Quincy and Boston Street Railway Company, by a vote of a majority in interest of its stockholders at meetings called for the purpose, and subject to the approval of the railroad commissioners in the manner provided by law, may increase and issue its capital stock to an amount necessary for that purpose.

Certain provi-
sions of law to
apply.

SECTION 3. The provisions of section four of chapter three hundred and eight of the acts of the year eighteen hundred and ninety-one are, so far as they are applicable hereto, made part hereof, and shall apply to purchases and sales by and of said companies hereunder.

SECTION 4. This act shall take effect upon its passage.

Approved March 3, 1896.

Chap. 131 AN ACT MAKING APPROPRIATIONS FOR THE COMPENSATION AND EXPENSES OF THE COMMISSIONERS ON INLAND FISHERIES AND GAME.

Be it enacted, etc., as follows:

Appropriations.

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, to meet expenses for the year ending on the thirty-first day of December in the year eighteen hundred and ninety-six, to wit: —

Commissioners
on inland
fisheries and
game.

For the compensation and expenses of the commissioners on inland fisheries and game, a sum not exceeding thirty-five hundred dollars.

For the enforcement of laws, propagation and distribution of fish, running expenses, rent and maintenance of hatcheries, incidentals, printing and contingent expenses, propagation and protection of birds and animals, a sum not exceeding fifty-five hundred dollars. Propagation and distribution of fish, etc.

For travelling expenses of a member of the district police detailed for service with said commissioners, a sum not exceeding five hundred dollars. Travelling expenses.

For running expenses and necessary repairs to the steamer in charge of the commissioners, a sum not exceeding forty-five hundred dollars. Expenses of steamer.

SECTION 2. This act shall take effect upon its passage.

Approved March 4, 1896.

AN ACT TO LEGALIZE THE PROCEEDINGS OF A CERTAIN MEETING OF THE FIRST CONGREGATIONAL CHURCH OF PAXTON. Chap.132

Be it enacted, etc., as follows :

SECTION 1. The proceedings of the annual meeting of the First Congregational Church of Paxton, held on the first day of January in the year eighteen hundred and ninety-six, shall not be invalid by reason of the fact that the warrant for said meeting was not served by a person legally qualified to serve the same. Proceedings legalized.

SECTION 2. This act shall take effect upon its passage.

Approved March 4, 1896.

AN ACT TO PROVIDE FOR THE RECEIPT AND PAYMENT OF MONEY FOR THE SUPPORT OF PRACTICE AND MODEL SCHOOLS. Chap.133

Be it enacted, etc., as follows :

The treasurer and receiver general is hereby authorized to receive from cities and towns all sums of money which may be payable under the agreements with the board of education relative to the maintenance of practice and model schools provided for by sections five and six of chapter four hundred and fifty-seven of the acts of the year eighteen hundred and ninety-four. The sums so received shall be expended under the direction of the board of education for the purposes named in said sections, without any appropriation therefor. Maintenance of practice and model schools.

Approved March 4, 1896.

Chap. 134 AN ACT TO AUTHORIZE THE CITY OF FALL RIVER TO INCUR INDEBTEDNESS BEYOND THE LIMIT FIXED BY LAW, FOR THE PURPOSE OF ERECTING A PUBLIC LIBRARY BUILDING.

Be it enacted, etc., as follows :

May incur indebtedness beyond debt limit, issue bonds, etc.

SECTION 1. The city of Fall River, for the purpose of enabling the board of trustees of the public library of said city to erect a public library building in said city, the same to contain accommodations for the offices of the school department, may incur indebtedness and may authorize the city treasurer of said city to issue from time to time, as the said board of trustees shall request and the mayor of said city approve, bonds, notes or scrip to an amount not exceeding seventy-five thousand dollars. Such bonds shall be payable in thirty years from their date of issue and shall bear interest at a rate not exceeding four per cent. per annum, payable semi-annually, and fixed by the said treasurer with the approval of the mayor.

Construction, etc., of public library building.

SECTION 2. The said board of trustees shall have full power and control of the design, construction and erection of the public library building to be erected in said city, and are hereby fully authorized and empowered to select and employ an architect or architects to design said building and supervise the construction and erection thereof, and a superintendent or superintendents to take charge of and approve the work ; but work upon said building shall not be commenced until full general plans for the building shall have been prepared, and no specific work shall be commenced until the same shall have been duly advertised, proposals for doing such work shall have been received from responsible parties, and contracts shall have been entered into with satisfactory guarantees for their performance.

Not to be considered in determining debt limit.

SECTION 3. The debt and loan authorized by this act, and the notes, bonds or scrip which may be issued therefor, shall not be considered or reckoned in determining the authorized limit of indebtedness of said city under the provisions of section four of chapter twenty-nine of the Public Statutes and acts in amendment thereof or in addition thereto.

P. S. 29 to apply.

SECTION 4. The provisions of chapter twenty-nine of the Public Statutes in regard to the establishment and

maintenance of a sinking fund shall apply to the loans authorized by this act.

SECTION 5. This act shall take effect upon its passage.

Approved March 4, 1896.

AN ACT TO INCORPORATE THE GARDNER SYNDICATE CORPORATION. *Chap.135*

Be it enacted, etc., as follows:

SECTION 1. Seth Heywood, Philander Derby, Henry Heywood, George Heywood, Arthur P. Derby, George H. Heywood, Frank W. Smith, Levi H. Greenwood, Charles F. Richardson, Volney W. Howe, their associates and successors, are hereby made a corporation by the name of the Gardner Syndicate Corporation, with authority to purchase a certain tract of land situate in the town of Gardner and bounded on the north by Central street, on the east by the town hall lot, on the south by land of R. F. Andrews, and on the west by Chestnut street, and to erect, complete and maintain a building thereon, to be used for public halls, lodge and club rooms, and for mechanical and mercantile purposes, and for shops, stores and offices.

Gardner
Syndicate
Corporation
incorporated.

SECTION 2. Said corporation may have a capital stock not exceeding one hundred thousand dollars, may mortgage its property, and shall, except as herein otherwise provided, have all the powers and privileges and be subject to all the duties, liabilities and restrictions set forth in all general laws which now are or hereafter may be in force relating to such corporations.

Capital stock,
etc.

SECTION 3. This act shall take effect upon its passage.

Approved March 4, 1896.

AN ACT IN RELATION TO CERTAIN ORGANIZATIONS PAYING ONLY FUNERAL AND SICK BENEFITS. *Chap.136*

Be it enacted, etc., as follows:

SECTION 1. Any existing fraternal beneficiary corporation or association conducting business upon the lodge system, and any existing purely charitable association or corporation, which pays a death or funeral benefit not exceeding one hundred and twenty-five dollars and disability benefits not exceeding five dollars per week, is hereby authorized to continue in this Commonwealth such business without otherwise conforming to the provisions

Certain existing
corporations
may continue
business.

of chapter three hundred and sixty-seven of the acts of the year eighteen hundred and ninety-four.

SECTION 2. This act shall take effect upon its passage.

Approved March 5, 1896.

Chap. 137 AN ACT IN RELATION TO THE COMPENSATION OF REFEREES APPOINTED BY THE INSURANCE COMMISSIONER.

Be it enacted, etc., as follows :

1894, 522, § 60,
amended.

SECTION 1. The last clause of section sixty of chapter five hundred and twenty-two of the acts of the year eighteen hundred and ninety-four is hereby amended by adding thereto the following words : —

Proceedings in
case of failure
to choose
referee, etc.

In every case of the appointment by the insurance commissioner of said third referee the insuring company or companies shall withhold from the amount of the award rendered one half of the compensation and expenses of said referee, and the said company or companies shall thereupon be obligated to pay to the said referee the full amount of the expenses for such reference, — so that said closing paragraph of said section shall read as follows : —

In case of loss under any fire insurance policy, issued on property in this Commonwealth, in the standard form above set forth, and the failure of the parties to agree as to the amount of loss, if the insurance company shall not, within ten days after a written request to appoint referees under the provision for arbitration in such policy, name three men under such provision, each of whom shall be a resident of this Commonwealth and willing to act as one of such referees ; and if also such insurance company shall not, within ten days after receiving the names of three men named by the insured under such provision, make known to the insured its choice of one of them to act as one of such referees, it shall be deemed to have waived the right to an arbitration under such policy, and be liable to suit thereunder, as though the same contained no provision for arbitration as to the amount of loss or damage. And in case of the failure of two referees, chosen, respectively, by the insurance company and the insured, to agree upon and select within ten days from their appointment a third referee willing to act in said capacity, either of the parties may within twenty days from the expiration of said ten days make written application, setting forth the facts, to the insurance commissioner to appoint such third

referee ; and said commissioner shall thereupon make such appointment and shall send written notification thereof to the parties. In every case of the appointment by the insurance commissioner of said third referee the insuring company or companies shall withhold from the amount of the award rendered one half of the compensation and expenses of said referee, and the said company or companies shall thereupon be obligated to pay to the said referee the full amount of the expenses for such reference.

SECTION 2. This act shall take effect upon its passage.

Approved March 5, 1896.

AN ACT TO AUTHORIZE THE STATE DEPARTMENTS AND COMMISSIONS TO BE CLOSED ON THE DAY OF THE FUNERAL OF FREDERIC T. GREENHALGE, LATE GOVERNOR OF THE COMMONWEALTH.

Chap.138

Be it enacted, etc., as follows :

SECTION 1. The heads of the several departments and commissions of the state government are hereby authorized to close their offices during the ninth day of March in the year eighteen hundred and ninety-six, being the day of the funeral ceremonies of Frederic T. Greenhalge, late governor of the Commonwealth.

Offices to close on day of funeral of Frederic T. Greenhalge.

SECTION 2. This act shall take effect upon its passage.

Approved March 6, 1896.

AN ACT TO AUTHORIZE THE CONSTRUCTION OF A PUBLIC HIGHWAY IN THE TOWN OF BOURNE AND OF HIGHWAY BRIDGES ACROSS CERTAIN TIDE WATERS IN SAID TOWN.

Chap.139

Be it enacted, etc., as follows :

SECTION 1. The selectmen of the town of Bourne, whenever they are so instructed by a majority of the legal voters of said town present and voting at any annual meeting of said town, are hereby authorized to lay out and construct, subject to the provisions of chapter nineteen of the Public Statutes and the provisions of law relating to the laying out of highways, a public highway extending in a generally southerly direction, from some suitable point in the county highway in the village of Buzzard's Bay in said town to some suitable point in the northerly boundary line of the town of Falmouth, at such time and in such portions as the voters of said town of Bourne at an annual

Construction of public highway, etc., in town of Bourne.

meeting may determine, and may cross all tide waters between these points. Any bridge across such tide waters shall be with or without a draw therein, as the board of harbor and land commissioners or other authority having jurisdiction in the premises may determine. Any bridge across Monument river constructed under the provisions of this act shall be located at some convenient point within one thousand feet east of the present railroad bridge on the Woods Holl branch of the Old Colony railroad, and shall be constructed of such material as the legal voters of the town of Bourne at an annual town meeting may decide. Said selectmen may purchase or otherwise take any private bridges in the line of such layout.

Crossing tracks
of Old Colony
Railroad Com-
pany.

SECTION 2. Nothing in this act shall be construed to authorize the creation of any grade crossings over the tracks of the Old Colony Railroad Company. In case any portion of the highway laid out under this act would cross said tracks said crossing shall be effected with a separation of grades, and the provisions of law relating to the abolition of grade crossings shall apply to any such crossing by said highway, and the expense of said crossing shall be apportioned as in the case of an existing highway.

Apportionment
of expense.

SECTION 3. The county commissioners of the county of Barnstable, upon petition of said selectmen, may allow from the treasury of said county to the town of Bourne such sums of money as they may think just and equitable to indemnify said town in part for the expense of building the highway provided for by this act.

May borrow
upon notes, etc.

SECTION 4. Said county or said town of Bourne may severally borrow upon their note or notes or other obligations such sums as they severally may deem necessary to comply with the provisions of this act.

To be void un-
less constructed
within five
years.

SECTION 5. This act shall become void unless the highway herein provided for is laid out and constructed before the expiration of five years from the date of the passage of this act.

1893, 178, re-
pealed.

SECTION 6. Chapter one hundred and seventy-eight of the acts of the year eighteen hundred and ninety-three is hereby repealed.

SECTION 7. This act shall take effect upon its passage.

Approved March 11, 1896.

AN ACT TO EXTEND THE POWERS OF FIRE INSURANCE COMPANIES. *Chap.140*

Be it enacted, etc., as follows :

SECTION 1. All insurance companies authorized to transact fire insurance business in this Commonwealth may, in addition to the business which they are now authorized by law to do, insure sprinklers, pumps and other apparatus erected or put in position for the purpose of extinguishing fires, against damage, loss or injury resulting from accidental causes, other than fire ; and may also insure any property which such companies are authorized to insure against loss or damage by fire, against damage, loss or injury by water or otherwise, resulting from the accidental breaking of or injury to such sprinklers, pumps or other apparatus, arising from causes other than fire.

Powers of fire insurance companies extended.

SECTION 2. Contracts of insurance of the kind provided for in the first section of this act shall not be incorporated in any contract of insurance against loss or damage by fire, but shall be contained in separate and distinct policies, the conditions of which shall be prescribed by the insurance commissioner of the Commonwealth.

Form of contract.

SECTION 3. This act shall take effect upon its passage.

Approved March 11, 1896.

AN ACT TO AUTHORIZE THE LAYING OUT AND CONSTRUCTION OF A HIGHWAY AND BRIDGES OVER AND ACROSS GREEN'S POND, GREAT POND OR DEXTER'S RIVER, PERCH POND OR WEIR RIVER, AND LITTLE POND, IN THE TOWN OF FALMOUTH. *Chap.141*

Be it enacted, etc., as follows :

The town of Falmouth or the county commissioners for the county of Barnstable may lay out and construct, or cause to be constructed, a highway and bridges, with suitable approaches thereto, over and across Green's pond, Great pond or Dexter's river, Perch pond or Weir river, and Little pond, in said town, subject to the provisions of chapters nineteen and forty-nine of the Public Statutes and of any other laws which now are or hereafter may be in force applicable thereto. Said bridges may be built with or without draws, as may be determined by the board of harbor and land commissioners.

Construction of highway and bridges in the town of Falmouth.

Approved March 11, 1896.

Chap. 142 AN ACT TO AUTHORIZE THE CITY OF NEWTON TO CREATE A DEBT OUTSIDE OF THE DEBT LIMIT, FOR THE WIDENING OF CERTAIN STREETS.

Be it enacted, etc., as follows :

May incur indebtedness beyond debt limit, issue notes, etc.

SECTION 1. The city of Newton, to meet the expenses incurred and to be incurred by said city for the widening, locating anew and construction of Washington street, south of the Boston and Albany railroad, Park street and Tremont street, may incur indebtedness and may therefor and for any indebtedness already incurred in such widening, locating anew and construction, issue notes, bonds or scrip payable within forty years from the date of issue, signed by the treasurer and countersigned by the mayor ; and the same shall not be included in the amount of indebtedness to which said city is limited by the provisions of chapter twenty-nine of the Public Statutes and acts in amendment thereof and in addition thereto. The provisions of said chapter twenty-nine of the Public Statutes and acts in amendment thereof and in addition thereto shall apply to the issue of such bonds, notes or scrip, and to the establishment of a sinking fund for the payment thereof at maturity, except so far as is herein otherwise provided.

F. S. 29, etc., to apply.

SECTION 2. This act shall take effect upon its passage.

Approved March 11, 1896.

Chap. 143 AN ACT TO AUTHORIZE THE EDISON ELECTRIC ILLUMINATING COMPANY OF FALL RIVER TO DISPOSE OF ITS PROPERTY AND FRANCHISE TO THE FALL RIVER ELECTRIC LIGHT COMPANY.

Be it enacted, etc., as follows :

May sell, etc., property, franchise, etc., to Fall River Electric Light Company.

SECTION 1. The Edison Electric Illuminating Company of Fall River is hereby authorized, upon a vote of its stockholders at a meeting duly called for that purpose, to sell, transfer and convey its property, rights, licenses, privileges and franchises to the Fall River Electric Light Company, which is hereby authorized, upon a vote of its stockholders at a meeting duly called for that purpose, to purchase the same ; and upon such sale, transfer and conveyance, the said property, rights, licenses, privileges and franchises shall be held and enjoyed by the said Fall River Electric Light Company, in as full and complete a manner

as the same are now held and enjoyed by the said Edison Electric Illuminating Company.

SECTION 2. The said Fall River Electric Light Company is hereby authorized to increase its capital stock from two hundred thousand dollars, its present amount, to three hundred and fifty thousand dollars, and the number of shares from two thousand, the present number, to thirty-five hundred, and to issue the shares of such increase to the said Edison Electric Illuminating Company or to its stockholders, in payment for the said property, rights, licenses, privileges and franchises: *provided, however*, that the said Fall River Electric Light Company shall, upon the transfer and conveyance to it as above-named, assume and be responsible for all debts and liabilities of the said Edison Electric Illuminating Company; and *provided, further*, that the issue of new stock shall be made in accordance with the provisions of chapter four hundred and fifty of the acts of the year eighteen hundred and ninety-four.

May increase capital stock, etc.

Provisos.

SECTION 3. This act shall take effect upon its passage.

Approved March 11, 1896.

AN ACT TO CHANGE THE NAME OF THE TRUSTEES OF THE WORCESTER ACADEMY IN WORCESTER.

Chap. 144

Be it enacted, etc., as follows:

SECTION 1. The name of The Trustees of the Worcester Academy in Worcester is hereby changed to Worcester Academy.

Name changed.

SECTION 2. This act shall take effect upon its passage.

Approved March 11, 1896.

AN ACT TO EXTEND THE TIME FOR THE CONSTRUCTION OF THE SOUTHBRIDGE, STURBRIDGE AND BROOKFIELD RAILROAD.

Chap. 145

Be it enacted, etc., as follows:

SECTION 1. The time within which to complete the construction of the railroad of the Southbridge, Sturbridge and Brookfield Railroad Company is hereby extended to the first day of May in the year eighteen hundred and ninety-nine; and all the rights, powers, privileges and franchises originally possessed or enjoyed by said company shall continue and be enjoyed by it during such time and thereafter, if its railroad is constructed within said time, in the same manner and with the same effect as

Time extended.

if it had been constructed within the time prescribed by law.

When to take effect.

SECTION 2. This act shall take effect on the first day of May in the year eighteen hundred and ninety-six.

Approved March 11, 1896.

Chap.146 AN ACT TO AUTHORIZE THE TRUSTEES OF TUFTS COLLEGE TO HOLD REAL ESTATE IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

May hold real estate in Boston.

The Trustees of Tufts College may own and occupy real estate in the city of Boston for all purposes for which they were incorporated.

Approved March 11, 1896.

Chap.147 AN ACT RELATIVE TO CLERICAL ASSISTANCE FOR THE TREASURER OF THE COUNTY OF ESSEX.

Be it enacted, etc., as follows:

1889, §10, §1, amended.

Clerical assistance.

SECTION 1. Section one of chapter three hundred and ten of the acts of the year eighteen hundred and eighty-nine is hereby amended by striking out in the third line, the word "four", and inserting in place thereof the word: — six, — so as to read as follows: — *Section 1.* The treasurer of the county of Essex shall be allowed for clerical assistance a sum not exceeding six hundred dollars a year, to be paid out of the treasury of the county to persons who actually perform the work, upon their certificate that the work is actually performed by them.

SECTION 2. This act shall take effect upon its passage.

Approved March 11, 1896.

Chap.148 AN ACT RELATIVE TO APPROPRIATIONS FOR THE CITY HOSPITAL IN THE CITY OF QUINCY.

Be it enacted, etc., as follows:

Quincy city hospital.

SECTION 1. The city of Quincy is hereby authorized to raise by taxation a sum of money not exceeding five thousand dollars per year, and appropriate the same towards the maintenance and support of the city hospital in said city.

Repeal.

SECTION 2. Section six of chapter one hundred and seven of the acts of the year eighteen hundred and eighty-nine is hereby repealed.

SECTION 3. This act shall take effect upon its passage.

Approved March 11, 1896.

AN ACT MAKING APPROPRIATIONS FOR SALARIES AND EXPENSES IN THE OFFICE OF THE STATE FIRE MARSHAL. *Chap. 149*

Be it enacted, etc., as follows :

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, to meet expenses for the year ending on the thirty-first day of December in the year eighteen hundred and ninety-six, to wit : —

For the salary of the state fire marshal, forty-five hundred dollars. *State fire marshal.*

For the salary of the deputy fire marshal, twenty-five hundred dollars. *Deputy.*

For the salary of the clerk of the state fire marshal, fourteen hundred dollars. *Clerk.*

For the salaries of the two stenographers in the office of the state fire marshal, eleven hundred dollars each. *Stenographers.*

For the salaries of the two chiefs of aids in the office of the state fire marshal, twelve hundred dollars each. *Chiefs of aids.*

For the salaries of the eleven aids and one chief of secret service in the office of the state fire marshal, one thousand dollars each ; and for the salary of a messenger, four hundred dollars. *Aids, etc.*

For travelling, contingent and incidental expenses, the same to include the services and expenses of persons employed in outside secret investigations, and fees of witnesses, under the direction of the state fire marshal, a sum not exceeding fourteen thousand dollars. *Travelling, etc., expenses.*

For postage, printing, stationery, telephone, telegrams, incidental and contingent office expenses of the state fire marshal, a sum not exceeding twenty-five hundred dollars. *Expenses.*

SECTION 2. This act shall take effect upon its passage.

Approved March 13, 1896.

AN ACT TO SUPPLY THE VILLAGE OF MILLERS FALLS WITH WATER. *Chap. 150*

Be it enacted, etc., as follows :

SECTION 1. The inhabitants of the village of Millers Falls in the county of Franklin, liable to taxation in the town of Montague and residing within the territory enclosed by the following boundary lines, to wit : — Beginning at the point where the Fitchburg railroad crosses the

*Millers Falls
Water Supply
District incor-
porated.*

Millers Falls
Water Supply
District incor-
porated.

line of the New London and Northern railroad, thence by a line bearing north thirty-four degrees east to a point in the Wendell road two hundred feet easterly from the house of Joseph Harrison; thence in a straight line bearing north thirty-three degrees twenty minutes west to the Millers river; thence by said Millers river, down stream, to the bridge at the crossing of the county road leading from Montague to Northfield; thence by said county road southwesterly to the road leading from Millers Falls to Turners Falls; thence by a straight line to the point of beginning, — shall constitute a water district, and are made a body corporate, by the name of the Millers Falls Water Supply District, for the purpose of supplying themselves with water for the extinguishment of fires and for domestic and other purposes, with power to establish fountains and hydrants and relocate or discontinue the same, and to take and hold property, lands, rights of way and easements, by purchase or otherwise, for the purposes mentioned in this act, and to prosecute and defend in all actions relating to the property and affairs of the district.

May take cer-
tain waters,
lands, etc.

SECTION 2. Said water supply district, for the purpose aforesaid, may take by purchase or otherwise and hold the waters of Lyon's brook and any or all of its tributaries in the towns of Montague and Wendell, and the waters of any springs or other sources on the watershed of said brook, with the water rights connected therewith. Said district may also take by purchase or otherwise and hold all lands, rights of way and easements in the towns of Montague and Wendell necessary for taking, holding, preserving and improving such waters and conveying the same to and through any and all parts of said Millers Falls Water Supply District, and said district may erect and construct on the lands thus taken or held proper dams, buildings, fixtures and other structures, and such other things as may be necessary for providing and maintaining complete and efficient water works; and for that purpose may construct, lay down and maintain aqueducts, conduits, pipes and other works, under or over any lands, water courses, roads, railroads or other ways, and along any street, highway or other way in the towns of Montague or Wendell, in such manner as when completed shall not unnecessarily obstruct the same; and for the purpose of constructing, laying down, maintaining and repairing such aqueducts, conduits, pipes and other works, and for all

May erect build-
ings, lay down
pipes, etc.

other purposes of this act, said water supply district may dig up, raise and embank any such lands, highways or other ways, in such manner as to cause the least hindrance to public travel; but all things done upon any street, road or highway shall be subject to the direction of the selectmen of the town in which such street, road or highway is situated.

May dig up ways, etc., subject to direction of selectmen.

SECTION 3. Said water supply district, for the purpose aforesaid, may contract with the Turners Falls Fire District for a supply of water for the purposes herein named, on such terms and conditions as may be agreed upon by said Turners Falls Fire District and said water supply district, and said Turners Falls Fire District may furnish such supply of water from the Turners Falls water works: *provided, however*, that nothing contained herein shall be construed to compel said fire district to furnish said water. Said water supply district may construct such reservoirs and standpipes, construct, lay down and maintain such aqueducts, conduits, pipes or other works, under or over any lands, water courses, roads, railroads or other ways, and in any street, highway or other way within the limits of said district, as may be necessary for the storing and distributing of such water; and for the purpose of constructing, laying down, maintaining and repairing such aqueducts, conduits, pipes and other works, and for all other necessary purposes of this act, said district may dig up, raise and embank any such lands, highways or other ways, in such manner as to cause the least hindrance to public travel; but all things done upon any street, road or highway shall be subject to the direction of the selectmen of the town of Montague.

May contract with Turners Falls Fire District for supply of water.

Proviso.

SECTION 4. Said Millers Falls Water Supply District shall, within ninety days after the taking of any lands, rights of way or easements as aforesaid, otherwise than by purchase, file and cause to be recorded in the registry of deeds for the county of Franklin a description thereof sufficiently accurate for identification, with a statement of the purpose for which the same were taken, signed by the water commissioners hereinafter provided for.

Description of lands, etc., to be recorded.

SECTION 5. Said Millers Falls Water Supply District shall be liable to pay all damages sustained by any person or corporation in property by the taking of any water, water source, water rights, lands, rights of way or easements, or by the construction of any reservoir, standpipe

Damages.

or other works for the purposes aforesaid, or by any other thing done by said district under the authority of this act. Any person or corporation sustaining damages as aforesaid under this act, and failing to agree with said district as to the amount of damages, may have them assessed and determined in the manner provided where land is taken for highways, by making a written application therefor within one year after the taking of such land or other property or the doing of other injury under the authority of this act, but no such application shall be made after the expiration of said year.

Millers Falls
Water Supply
District Loan.

SECTION 6. For the purpose of paying all expenses and liabilities incurred under the provisions of this act said district may issue bonds, notes or certificates of debt from time to time, signed by the treasurer of the water supply district and countersigned by the chairman of the water commissioners hereinafter provided for, to be denominated on the face thereof, Millers Falls Water Supply District Loan, to an amount not exceeding twenty thousand dollars, payable at periods not exceeding thirty years from the date of issue, and bearing interest payable semi-annually at a rate not exceeding six per cent. per annum. And said district may sell said securities at public or private sale, at not less than par, or pledge the same for money borrowed for the purposes of this act, upon such terms and conditions as it may deem proper. Said district shall pay the interest upon said loan as it accrues, and shall provide for the payment of said principal at maturity by establishing at the time of contracting said debt a sinking fund, or from year to year by such proportionate payments as will extinguish the same within the time prescribed by this act. If said district shall decide to establish a sinking fund it shall contribute thereto annually a sum sufficient with its accumulations to pay the principal of said loan at maturity; and said sinking fund shall remain inviolate and pledged to the payment of said debt and shall be used for no other purpose. If said district shall decide to pay the principal of said loan by instalments such amounts as may be necessary to make such payments shall without further vote of said district be raised annually by taxation, in the same way as money is raised for town expenses.

Payment of
loan.

Payment of
expenses, etc.

SECTION 7. Said district shall raise by taxation annually a sum which with the income derived from the sale

of water shall be sufficient to pay the current annual expenses of operating its water works and the interest accruing on the bonds issued by said district, together with such payments on the principal as may be required under the provisions of this act. Said district is further authorized, by a two thirds vote of the voters of said district present and voting at a legal meeting called for the purpose, to raise by taxation any sum of money for the purpose of enlarging or extending its water works and providing additional pipes, appliances and fixtures connected therewith, not exceeding two thousand dollars in any one year.

SECTION 8. Whenever a tax is duly voted by said district for the purposes of this act the clerk shall render a certified copy of the vote to the assessors of the town of Montague, who shall proceed within thirty days to assess the same in the same manner in all respects as town taxes are required by law to be assessed. The assessment shall be committed to the town collector, who shall collect said tax in the same manner as is provided for the collection of town taxes, and shall deposit the proceeds thereof with the district treasurer for the use and benefit of said district. Said district may collect interest on taxes when overdue in the same manner as interest is authorized to be collected on town taxes: *provided*, said district at the time of voting to raise the tax shall so determine and shall also fix a time for payment thereof.

Assessment,
etc., of taxes.

Proviso.

SECTION 9. Said district may make such contracts with individuals, corporations and the town of Montague for supplying water as may be agreed upon, and may fix and collect water rates for the use of such water; and said district may discontinue or shut off the water for the non-payment of such rates and for violation of the terms of any contract or agreement which may be made with individuals, corporations and the said town by said district.

Contracts, water
rates, etc.

SECTION 10. The first meeting of said district shall be called on petition of ten or more legal voters therein, by a warrant from the selectmen of the town of Montague, or from a justice of the peace, directed to one of the petitioners, requiring him to give notice of the meeting by posting copies of said warrant in two or more public places in said district seven days at least before the time of said meeting, and by publishing such notice thereof as

First meeting,
etc.

the warrant may require, in any newspaper published in said town. One of the selectmen shall preside at the meeting until a clerk is chosen and sworn. After the choice of a moderator for said meeting the question of the acceptance of this act shall be submitted to the voters, and if it shall be accepted by a two thirds vote of the voters present and voting thereon it shall go into effect, and the meeting may then proceed to act on the other articles contained in the warrant.

Water commis-
sioners, election,
terms, etc.

SECTION 11. Said Millers Falls Water Supply District shall, after its acceptance of this act at a legal meeting called for the purpose, elect by ballot three persons to hold office, one until the expiration of three years, one until the expiration of two years and one until the expiration of one year from the next succeeding annual meeting, to constitute a board of water commissioners, and at each annual meeting thereafter one such commissioner shall be elected by ballot for the term of three years. All the authority granted to said district by this act and not otherwise specifically provided for shall be vested in said board of water commissioners, who shall be subject however to such instructions, rules and regulations as said district may impose by its vote. Said commissioners shall be trustees of the sinking fund herein provided for and a majority of said commissioners shall constitute a quorum for the transaction of business relative both to the water works and to the sinking fund. Any vacancy occurring in said board from any cause may be filled for the remainder of the unexpired term by said water supply district at any legal meeting called for the purpose. No money shall be drawn from the district treasury on account of said water works except by a written order of said commissioners or a majority of them. Said commissioners shall annually make a full report to said district in writing of their doings and expenditures.

To be trustees
of sinking fund.

Vacancy, etc.

Annual report.

Calling of
meetings, etc.

SECTION 12. Said district may adopt by-laws prescribing by whom and how meetings may be called and notified, but meetings may also be called on application of ten or more legal voters in said district, by warrant as provided in section ten. Said district may also provide rules and regulations for the management of its water works, not inconsistent with this act or the laws of this Commonwealth, and may choose such other officers not provided for in this act as it may deem proper and necessary.

SECTION 13. Whoever wilfully or wantonly corrupts, pollutes or diverts any of the water obtained or supplied under this act, or wilfully or wantonly injures any reservoir, standpipe, aqueduct, pipe or other property owned or used by said district for the purposes of this act, shall forfeit and pay to said district three times the amount of damages assessed therefor, to be recovered in an action of tort, and upon conviction of either of the above acts shall be punished by a fine not exceeding one hundred dollars or by imprisonment not exceeding six months.

Penalty for corruption of water, etc.

SECTION 14. This act shall take effect upon its passage, but shall become void unless accepted by a two thirds vote of the voters of said district present and voting thereon at any legal district meeting called for the purpose within three years from its passage. *Approved March 18, 1896.*

When to take effect.

AN ACT TO AUTHORIZE THE ARLINGTON MILLS TO INCREASE ITS CAPITAL STOCK.

Chap.151

Be it enacted, etc., as follows :

SECTION 1. The Arlington Mills, a corporation located in the city of Lawrence, is hereby authorized to increase its capital stock to an amount not exceeding two million five hundred thousand dollars, subject to the provisions of the general laws regulating the issue and payment of capital stock of such corporations.

May increase capital stock.

SECTION 2. This act shall take effect upon its passage.
Approved March 18, 1896.

AN ACT TO AUTHORIZE TOWNS TO APPROPRIATE MONEY FOR THE CELEBRATION OF THE FOURTH OF JULY.

Chap.152

Be it enacted, etc., as follows :

SECTION 1. Any town may by vote at its annual town meeting appropriate money for the celebration of the Fourth of July.

Celebration of Fourth of July.

SECTION 2. This act shall take effect upon its passage.
Approved March 18, 1896.

AN ACT TO EXEMPT FROM TAXATION A CERTAIN PORTION OF THE ESTATE OF THE LATE MARY HEMENWAY.

Chap.153

Be it enacted, etc., as follows :

SECTION 1. All that portion of the property devised or bequeathed to or in the hands of trustees under the will

Certain portion of estate of the late Mary

Hemenway
exempt from
taxation.

of Mary Hemenway, late of Milton, and their successors in said trust, the income of which is by the terms of said will to be appropriated, paid over, expended and disposed of for such charitable uses for the public benefit as are allowed and can be sustained by law in or for the period of not more than fifteen years, shall during such time be exempted from taxation, which shall be taken to include as well the tax imposed by chapter four hundred and twenty-five of the acts of the year eighteen hundred and ninety-one and all other acts in amendment thereof or in addition thereto, as all other taxes however otherwise imposed.

SECTION 2. This act shall take effect upon its passage.

Approved March 18, 1896.

Chap. 154 AN ACT TO AUTHORIZE THE TOWN OF FALMOUTH TO CONSTRUCT AND MAINTAIN BRIDGES IN SAID TOWN.

Be it enacted, etc., as follows :

May lay out
highway, etc.,
in Falmouth.

The town of Falmouth may lay out a town way or highway in said town, over the creek running into Buzzard's Bay and known as Herring river, and also over the creek running into Wild harbor, and may also build and maintain a bridge over each of said creeks, subject to the provisions of chapters nineteen and forty-nine of the Public Statutes and of any other laws which now are or hereafter may be in force applicable thereto.

Approved March 18, 1896.

Chap. 155 AN ACT TO AUTHORIZE THE TOWN OF FALMOUTH TO RAISE AND APPROPRIATE MONEY FOR THE CONSTRUCTION AND MAINTENANCE OF A BREAKWATER.

Be it enacted, etc., as follows :

Construction,
etc., of a break-
water in Fal-
mouth.

SECTION 1. The town of Falmouth is hereby authorized to raise and appropriate money at its annual town meetings for the purpose of constructing and maintaining a breakwater within the waters of said town, for the protection of boats and small vessels anchoring within the same.

SECTION 2. This act shall take effect upon its passage.

Approved March 18, 1896.

AN ACT TO PROVIDE FOR THE APPOINTMENT OF A RESERVE POLICE *Chap.156*
FORCE IN THE CITY OF SALEM.

Be it enacted, etc., as follows:

SECTION 1. The mayor and aldermen of the city of Salem may from time to time, under such rules as the civil service commissioners of the Commonwealth prescribe, appoint suitable persons to constitute a reserve police force for said city, who shall at no time exceed ten in number, and who shall be subject to such rules and regulations as the board of aldermen of said city may from time to time prescribe, and who may be removed by the mayor and aldermen of said city for any reason satisfactory to them. The mayor of said city may assign the members of said reserve police force to duty in said city whenever and for such time as he shall deem necessary, and when on duty they shall have and exercise all the powers and duties held and exercised by the police of said city. May appoint a reserve police force.

SECTION 2. All appointments upon the regular force of said city shall be made from the reserve police force, under such rules as the civil service commissioners of the Commonwealth may prescribe; and service on the reserve police force for not less than six months shall be deemed to be equivalent to the probationary period now required by the rules of said commissioners. Appointments upon regular force.

SECTION 3. The members of the reserve police force shall be paid by the city of Salem, when on duty, such compensation as the board of aldermen of said city may from time to time prescribe. Compensation.

SECTION 4. This act shall take effect upon its passage.

Approved March 18, 1896.

AN ACT TO AUTHORIZE THE STOCKBRIDGE WATER COMPANY TO *Chap.157*
FURNISH WATER TO THE INHABITANTS OF THE TOWN OF LEE.

Be it enacted, etc., as follows:

SECTION 1. The Stockbridge Water Company may furnish water to the inhabitants of that portion of the town of Lee situated within one and one half miles of the boundary line between said town and the town of Stockbridge, for domestic and other purposes, to the same extent and in the same manner that it is by its act of incorporation authorized to furnish water to the inhabitants May furnish water to inhabitants of Lee.

of Stockbridge; and for that purpose shall have and exercise in that portion of the town of Lee situated within one and one half miles of the boundary line between said town and the town of Stockbridge, all the rights, powers and privileges which it is or may be authorized to exercise in the town of Stockbridge.

Damages.

SECTION 2. Said Stockbridge Water Company shall pay all damages sustained by any person in property by any act or thing done by it under the authority of this act, the same to be assessed, determined and paid, in the manner provided in the act of incorporation of said company.

SECTION 3. This act shall take effect upon its passage.

Approved March 18, 1896.

Chap. 158 AN ACT RELATIVE TO THE APPORTIONMENT OF ASSESSMENTS FOR BETTERMENTS.

Be it enacted, etc., as follows:

Apportionment
of assessments
for betterments.

SECTION 1. If the owner of any real estate upon which an assessment for betterments is laid under the provisions of law relating to streets and highways, at any time before demand made, gives notice to the board making such assessment, to apportion the same, said board shall apportion such assessment into such number of equal parts, not exceeding ten, as said owner shall in said notice state, and shall certify such apportionment to the assessors; and the assessors shall add one of said parts to the annual tax of said estate for each of the years next ensuing until all the parts shall have been so added; and all such assessments remaining unpaid after they become due shall draw interest until payment thereof.

In cases when
assessments
have been laid
before passage
of act, etc.

SECTION 2. In any case in which such assessments for betterments have been laid before the passage of this act, or shall hereafter be laid, and in which the owner of the estate upon which the same are laid shall petition the board making such assessments so to do, said board may in its discretion apportion such assessments into such number of parts, not exceeding ten, as said owner shall in his said petition state, and shall certify such apportionment to the assessors; and said assessors shall add one of said parts, with interest from the date of apportionment, to the annual tax of said estate for each of the years next ensuing, until all the parts shall have been so added; and all such

assessments remaining unpaid after they become due shall draw interest until payment thereof.

SECTION 3. All liens for the collection of such assessments named in this act shall continue until the expiration of two years from the time when the last instalment is committed to the collector, and interest shall be added to all such assessments until they are paid: *provided*, that nothing herein contained shall be construed to prevent the payment at any time in one payment of any balance of said assessments then remaining unpaid, notwithstanding a prior apportionment.

Liens for collection of assessments.

Proviso.

SECTION 4. This act shall take effect in any city when accepted by the city council thereof, and in any town when accepted by a majority of the legal voters thereof present and voting thereon at a town meeting called for the purpose.

When to take effect.

Approved March 18, 1896.

AN ACT TO INCORPORATE THE MIDDLEBOROUGH AND LAKEVILLE STREET RAILWAY COMPANY. *Chap. 159*

Be it enacted, etc., as follows :

SECTION 1. George E. Wood, John C. Sullivan, David G. Pratt, Eugene L. LeBaron, Harry P. Sparrow, John N. Main, Frederick A. Shockley, their associates and successors, are hereby made a corporation under the name of the Middleborough and Lakeville Street Railway Company ; with all the powers and privileges and subject to all the duties, liabilities and restrictions set forth in all general laws that now are or hereafter may be in force relating to street railway companies.

Middleborough and Lakeville Street Railway Company incorporated.

SECTION 2. Said company is hereby authorized to construct and operate a railway, with single or double tracks, with convenient turn-outs and switches, over and upon such streets or highways in the towns of Middleborough and Lakeville as shall be from time to time fixed and determined upon by the selectmen of the towns of Middleborough and Lakeville, for their respective towns. Said company may hold private lands by purchase or lease, and construct its tracks thereon subject to general laws ; and may acquire by purchase all necessary real estate for its power stations and other uses incidental to the proper maintenance of its railway.

May construct and operate a railway in Middleborough and Lakeville.

SECTION 3. The location of said street railway outside

Location.

of public streets and highways shall not exceed fifty feet in width.

Motive power.

SECTION 4. Said company may maintain and operate said railway by any motive power other than steam approved by the boards of selectmen of the towns of Middleborough and Lakeville, and with the consent of such boards of selectmen may erect and maintain such poles and wires as may be necessary to establish and maintain such motive power.

Capital stock.

Proviso.

SECTION 5. The capital stock of said corporation shall not exceed one hundred thousand dollars: *provided*, that the same may be increased subject to the general laws applicable thereto.

May issue
bonds, etc.

SECTION 6. Said corporation may from time to time, by vote of the majority in interest of its stockholders, issue coupon or registered bonds to such amount and upon such terms as may be approved by the board of railroad commissioners. To secure the payment of such bonds, with interest thereon, said corporation may make a mortgage of its road and franchise and any part of its other property, and may include in such mortgage property thereafter to be acquired, and may therein reserve to its directors the right to sell or otherwise in due course of business to dispose of property included therein which may become worn, damaged or unsuitable for use in the operation of its road, provided that an equivalent in value is substituted therefor. All bonds issued shall first be approved by some person appointed by the corporation for that purpose, who shall certify upon each bond that it is properly issued and recorded. All stock and bonds authorized by this act shall be issued and disposed of in accordance with the provisions of all general laws relative to the issue of stock and bonds by street railway companies.

Bonds to be
approved, etc.

May acquire
water power,
etc.

SECTION 7. Said company may acquire by purchase and hold any water power and appurtenant lands for the purpose of furnishing motive power for its own use.

When to take
effect.

SECTION 8. This act shall take effect upon its passage, but shall become void unless said railway is constructed and put in operation before the first day of January in the year eighteen hundred and ninety-eight.

Approved March 18, 1896.

AN ACT TO AUTHORIZE THE TOWN OF LEXINGTON TO REFUND A *Chap.160*
PORTION OF ITS DEBT.

Be it enacted, etc., as follows :

SECTION 1. The town of Lexington is hereby authorized to issue from time to time bonds, notes or scrip to an amount not exceeding one hundred thousand dollars, for the purpose of refunding an equal amount of bonds of said town as they become due, denominated, Lexington Water Bonds, dated the first day of November in the year eighteen hundred and ninety-five, and issued under the authority of a vote passed by the town on the twenty-eighth day of October in the year eighteen hundred and ninety-five. The bonds, notes or scrip issued under the provisions of this act shall be payable not more than twenty years from the date of issue, and shall bear interest at a rate not exceeding six per cent. per annum. They shall be signed by the treasurer and countersigned by the selectmen of the town, and may be sold or negotiated at public or private sale, upon such terms and conditions and in such manner as said town may deem proper.

Lexington
Water Bonds.

SECTION 2. For the purpose of providing for the payment of said bonds said town shall not be required to establish a sinking fund under the provisions of chapter twenty-nine of the Public Statutes, but instead thereof shall raise by taxation each year in which any of said bonds are to become due a sufficient amount to meet the payment thereof, and shall appropriate the same for that purpose.

Payment of
bonds.

SECTION 3. This act shall take effect upon its passage.

Approved March 18, 1896.

AN ACT TO AUTHORIZE THE READING AND LOWELL STREET RAILWAY COMPANY TO EXTEND ITS RAILWAY INTO THE TOWNS OF *Chap.161*
BILLERICA, READING AND WILMINGTON.

Be it enacted, etc., as follows :

SECTION 1. The Reading and Lowell Street Railway Company is hereby authorized and empowered to construct, maintain and operate its railway, by electricity or other power except steam, over and upon private land in the towns of Billerica, Reading and Wilmington, which it has acquired or may hereafter acquire by purchase or

May construct,
etc., its railway
in certain towns.

lease, or which it may obtain from the owners the **right** to enter and occupy.

SECTION 2. This act shall take effect upon its **passage**.

Approved March 18, 1896.

Chap.162 AN ACT TO PROVIDE THAT WHEN THE NINETEENTH DAY OF **APRIL** OCCURS ON SUNDAY THE FOLLOWING DAY SHALL BE A **PUBLIC** HOLIDAY.

Be it enacted, etc., as follows:

1894, 130, § 4,
amended.

SECTION 1. Section four of chapter one hundred and thirty of the acts of the year eighteen hundred and ninety-four is hereby amended by inserting after the word "year", in the first line, the words:—or the following day when said nineteenth day occurs on Sunday,—so as to read as follows:—*Section 4.* The nineteenth day of April in each year, or the following day when said nineteenth day occurs on Sunday, is hereby made a legal public holiday to all intents and purposes, in the same manner as Thanksgiving and Christmas days, the twenty-second day of February, the thirtieth day of May, the fourth day of July and the first Monday of September, are now by law made public holidays.

April nine-
teenth a legal
holiday, etc.

1894, 130, § 5,
amended.

SECTION 2. Section five of said chapter is hereby amended by adding at the end thereof the following words:—or to the following day when said nineteenth day occurs on Sunday,—so as to read as follows:—

1888, 254, to
apply, etc.

Section 5. The provisions of chapter two hundred and fifty-four of the acts of the year eighteen hundred and eighty-eight shall apply to the nineteenth day of April, or to the following day when said nineteenth day occurs on Sunday.

SECTION 3. This act shall take effect upon its **passage**.

Approved March 18, 1896.

Chap.163 AN ACT RELATING TO BONDS OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

Notes, bonds or
scrip of city of
Boston.

SECTION 1. All notes, bonds or scrip of the city of Boston, whether heretofore or hereafter authorized by the legislature or the city council of said city, other than those to be paid from the taxes of the year in which they are issued, shall as the city treasurer of said city shall determine be coupon bonds or registered certificates, and

bear interest at a rate not exceeding four per cent. per annum, payable semi-annually at such time as said treasurer shall determine.

SECTION 2. This act shall take effect upon its passage.

Approved March 18, 1896.

AN ACT TO LEGALIZE THE ACTS AND DOINGS OF THE ST. JOHN'S SOCIETY OF THE METHODIST EPISCOPAL CHURCH OF BOSTON. Chap. 164

Be it enacted, etc., as follows:

SECTION 1. The organization of the Trustees of the St. John's Society of the Methodist Episcopal Church of Boston as a corporation on the eighth day of February in the year eighteen hundred and eighty-seven, under the provisions of chapter thirty-eight of the Public Statutes, is hereby confirmed, and said corporation is hereby made the lawful successor of the Centenary Society of the Methodist Episcopal Church of South Boston, and shall hold the real and personal property of the same. Organization confirmed.

SECTION 2. All the proceedings of the Trustees of said St. John's Society of the Methodist Episcopal Church of Boston prior to the passage of this act shall have the same force and effect as if done by the said Centenary Society of the Methodist Episcopal Church of South Boston. Proceedings legalized.

SECTION 3. This act shall take effect upon its passage.

Approved March 18, 1896.

AN ACT MAKING AN APPROPRIATION FOR THE STATE HOUSE LOANS SINKING FUNDS. Chap. 165

Be it enacted, etc., as follows:

SECTION 1. The sum of one hundred and eighteen thousand five hundred forty-five dollars and forty-one cents is hereby appropriated, to be paid out of the treasury of the Commonwealth into the state house loans sinking funds, as provided for in chapter thirty-nine of the acts of the year eighteen hundred and ninety-five, being the estimate of the treasurer and receiver general. State house loans sinking funds.

SECTION 2. This act shall take effect upon its passage.

Approved March 18, 1896.

Chap.166 AN ACT TO AUTHORIZE THE TOWN OF COTTAGE CITY TO APPROPRIATE FUNDS FOR PUBLIC PURPOSES.

Be it enacted, etc., as follows :

May appropriate money for public amusements, etc.

SECTION 1. The town of Cottage City may at its annual town meetings, after due legal notice thereof in the warrants under which said meetings are called, appropriate a sum not exceeding five hundred dollars annually for the purpose of providing amusements or entertainments of a public character.

SECTION 2. This act shall take effect upon its passage.

Approved March 18, 1896.

Chap.167 AN ACT TO AUTHORIZE THE TOWN OF CLINTON TO MAKE AN ADDITIONAL WATER LOAN.

Be it enacted, etc., as follows :

May issue additional notes, bonds and scrip.

SECTION 1. The town of Clinton, in addition to the amount of notes, bonds and scrip authorized by section four of chapter ninety-eight of the acts of the year eighteen hundred and seventy-six, and section three of chapter fourteen of the acts of the year eighteen hundred and eighty-two, and section one of chapter one hundred and fourteen of the acts of the year eighteen hundred and eighty-four, and section one of chapter twenty of the acts of the year eighteen hundred and ninety, is hereby authorized to issue a further amount of notes, bonds and scrip, not exceeding the sum of fifty thousand dollars, in accordance with the provisions of the acts herein referred to and for the purposes named therein.

SECTION 2. This act shall take effect upon its passage.

Approved March 18, 1896.

Chap.168 AN ACT TO AUTHORIZE THE CITY OF MALDEN TO INCUR ADDITIONAL INDEBTEDNESS FOR SEWERAGE PURPOSES.

Be it enacted, etc., as follows :

May issue additional bonds, etc.

SECTION 1. For the purposes specified in chapter one hundred and eighty-eight of the acts of the year eighteen hundred and ninety the city of Malden may issue scrip or bonds to an amount not exceeding six hundred and fifty thousand dollars. Excepting as to the amount the provisions of said chapter one hundred and eighty-

eight shall apply to the bonds hereby authorized to be issued.

SECTION 2. This act shall take effect upon its passage.

Approved March 18, 1896.

AN ACT RELATIVE TO SURETIES UPON BONDS OF PERSONS LICENSED
TO SELL INTOXICATING LIQUORS.

Chap.169

Be it enacted, etc., as follows :

SECTION 1. Section one of chapter three hundred and eighty-eight of the acts of the year eighteen hundred and ninety-four is hereby amended by inserting after the word "corporation", in the first line, the words :— except a corporation organized for the purpose of acting as surety on bonds and duly qualified to do business in this Commonwealth,—also by inserting after the word "surety", in the fourth line, the words :—so limited,— so as to read as follows :—*Section 1.* No person, firm or corporation, except a corporation organized for the purpose of acting as surety on bonds and duly qualified to do business in this Commonwealth, shall be accepted as surety upon more than ten bonds given under the provisions of section thirteen of chapter one hundred of the Public Statutes. Each such surety so limited shall make a written statement, under oath, that he is not a surety upon more than nine other bonds given under the provisions of said section, and such statement shall be kept on file with the bond.

1894, 388, § 1,
amended.

Sureties upon
certain bonds.

SECTION 2. This act shall take effect upon its passage.

Approved March 18, 1896.

AN ACT TO INCORPORATE THE FALL RIVER COLLATERAL LOAN
ASSOCIATION.

Chap.170

Be it enacted, etc., as follows :

SECTION 1. John D. Flint, Thomas J. Borden, William S. Greene, James F. Jackson, Chauncy H. Sears, William Burgess and Clarence Buffinton, their associates and successors, are hereby made a corporation by the name of the Fall River Collateral Loan Association, to be located at Fall River, for the purpose of loaning money upon pledge or mortgage of goods and chattels, or of safe securities of every kind ; and all the powers and privileges necessary for the execution of these purposes are

Fall River
Collateral Loan
Association
incorporated.

granted, and said corporation shall also have all the powers and privileges and be subject to all the duties, restrictions and liabilities set forth in chapter one hundred and five of the Public Statutes and in all the general laws which now are or hereafter may be in force in relation to such corporations.

Capital stock.

SECTION 2. The capital stock of said corporation shall be twenty-five thousand dollars, to be divided into shares of one hundred dollars each, and to be paid for at such times and in such manner as the board of directors shall decide: *provided*, that no business shall be transacted by said corporation until said amount of twenty-five thousand dollars is subscribed for and actually paid in; and no certificate of shares shall be issued until the par value of such shares shall have actually been paid in in cash. The said corporation may increase its capital stock from time to time until the same amounts to five hundred thousand dollars.

May borrow on its notes.

SECTION 3. Said corporation is hereby authorized to borrow money on its own notes, not exceeding the amount of its capital paid in, and for periods not exceeding one year.

Directors.

SECTION 4. The government of said corporation shall be vested in a board of directors, chosen as the by-laws may prescribe, conformably to law: *provided, however*, that one director shall be appointed by the governor of the Commonwealth and one shall be appointed by the mayor of the city of Fall River; and the board thus constituted shall elect one of their number president, and such other officers as may be deemed necessary. The compensation of the directors appointed by the governor and mayor for their services and attendance at meetings shall be paid by the association.

Loans.

SECTION 5. When the association has disposable funds it shall loan on all goods and chattels offered, embraced within its rules and regulations, in the order in which they are offered, with this exception, that it may always discriminate in favor of small loans to the indigent.

Duration of loans, right of redemption, etc.

SECTION 6. All loans shall be for a time fixed and not more than one year, and the mortgagor or pledgor shall have a right to redeem his property mortgaged or pledged, at any time before it is sold, in pursuance of the contract between the parties, or before the right of redemption is foreclosed, on payment of the loan and rate of compensa-

tion to the time of the offer to redeem. No charges shall be made for making a preliminary examination when a loan is not made, nor for the examination of property offered at the office of the association for pledge.

SECTION 7. The corporation shall give to each pledgor a card inscribed with the name of the corporation, the article or articles pledged, the name of the pledgor, the amount of the loan, the rate of compensation, the date when made, the date when payable, the page of the book where recorded, and a copy of sections eight and nine of this act.

Pledgor to be given a card.

SECTION 8. Property pledged to the association must be held one year unless sooner redeemed, and if not redeemed within one year from the date of the loan shall be sold at public auction, and the net surplus, after paying loan charges and expenses of sale, shall be held one year for the owner. All auction sales shall be advertised for at least one week in two daily newspapers published in Fall River. In case a savings bank deposit book pledged to the association shall not be redeemed as above it shall not be necessary for the association to sell the same at public auction, but it may convert the same, or so much thereof as may be necessary to pay the debt, in such mode and at such time as in the judgment of the directors will best secure the interest of all parties, holding the net surplus as above for the owner.

Unredeemed property.

Savings bank deposit books.

SECTION 9. Said association shall in no case charge interest at a rate exceeding one and one half per centum per month.

Interest.

SECTION 10. The commissioners of savings banks shall have access to the vaults, books and papers of the corporation, and it shall be their duty to inspect, examine and inquire into its affairs, and to take proceedings in regard to them, in the same manner and to the same extent as if said corporation was a savings bank, subject to all the general laws which are now or hereafter may be in force relating to such institutions in this regard. The returns required to be made to the commissioners of savings banks shall be in the form of a trial balance of its books, and shall specify the different kinds of its liabilities and the different kinds of its assets, stating the amounts of each kind, together with such other information as may be called for by said commissioners, in accordance with a blank form to be furnished by said

Commissioners of savings banks to have access to books, etc.

Returns.

commissioners; and these returns shall be published in a newspaper of the city of Fall River, at the expense of said corporation, at such times and in such manner as may be directed by said commissioners, and in the annual report of said commissioners: *provided, however*, that said commissioners may cause any examination to be made by an expert, under their direction but at the expense of the corporation. *Approved March 19, 1896.*

Chap. 171 AN ACT TO AUTHORIZE INSURANCE COMPANIES TO MAKE ADDITIONAL INVESTMENTS OF THEIR CAPITAL STOCK.

Be it enacted, etc., as follows:

Investments of capital stock.

SECTION 1. In addition to the investments now allowed by law the capital stock of insurance companies may be invested in any of the securities in which savings banks may invest their deposits.

SECTION 2. This act shall take effect upon its passage.
Approved March 19, 1896.

Chap. 172 AN ACT TO PROVIDE THAT PAYMENT FOR ASSISTANT REGISTERS WHOSE SALARIES ARE NOT FIXED BY LAW, AND FOR CLERICAL ASSISTANCE IN REGISTRIES OF DEEDS, SHALL BE SUBJECT TO THE APPROVAL OF THE BOARD OF COUNTY COMMISSIONERS.

Be it enacted, etc., as follows:

Clerical assistance, etc.

SECTION 1. Registers of deeds shall be allowed for assistant registers, where no salary is fixed by law, and for clerical assistance, upon the sworn certificate of said registers, filed with the county treasurer, that the work was actually performed and was necessary, and specifying the amount of such work or the time occupied therein and the names of the persons by whom the work was performed, such reasonable sum designated in said certificate as shall be approved by the board of county commissioners. Said sums so approved by the board of county commissioners shall be paid from the county treasury to the person or persons performing said work.

Repeal.

SECTION 2. Section two of chapter four hundred and ninety-three of the acts of the year eighteen hundred and ninety-five is hereby repealed.

SECTION 3. This act shall take effect upon its passage.
Approved March 21, 1896.

AN ACT TO AMEND THE CHARTER OF THE CITY OF CAMBRIDGE. *Chap. 173*

Be it enacted, etc., as follows:

SECTION 1. Section two of chapter three hundred and sixty-four of the acts of the year eighteen hundred and ninety-one is hereby amended by striking out the words "The mayor and aldermen shall be chosen by the qualified voters of the whole city", in the eleventh and twelfth lines, and inserting in place thereof the words:—The qualified voters of the whole city shall elect from among their number the mayor and aldermen,—so that said section as amended shall read as follows:—*Section 2.* The administration of the fiscal, prudential and municipal affairs of said city, and the government thereof, shall be vested in a mayor and a city council, which shall consist of a board of aldermen consisting, until the municipal year beginning on the first Monday in January in the year eighteen hundred and ninety-three, of ten members, and thereafter of eleven members, and a common council consisting of twenty members. Each branch shall sit separately, except when required to meet in joint convention by the provisions of this charter or by a concurrent vote. The qualified voters of the whole city shall elect from among their number the mayor and aldermen. The city council shall apportion the members of the common council among the several wards as nearly as may be on the basis of population, and the qualified voters of each ward shall elect from among their number the members of the common council to which it shall be entitled on such apportionment.

1891, 364, § 2,
amended.

Administration
of municipal
affairs, etc.

SECTION 2. Section six of chapter three hundred and sixty-four of the acts of the year eighteen hundred and ninety-one is hereby amended by striking out the word "September", in the thirteenth line, and inserting in place thereof the word:—July,—so that said section as amended shall read as follows:—*Section 6.* If at the annual election a mayor or the required number of members of the city council shall not have been elected, or if any person elected shall refuse to accept the office to which he was chosen, the board of aldermen shall make a record of the fact and forthwith issue their warrant for another election, and the same proceedings shall be had as are provided by law for the original election; and the

1891, 364, § 6,
amended.

Failure to elect
a mayor, etc.

Vacancy.

same shall be repeated from time to time until a mayor and the required number of members of the city council shall have been chosen. Whenever a vacancy shall occur in either office by death, resignation or otherwise, the board of aldermen may, and if such vacancy occur prior to the first of July in any year shall, forthwith issue their warrant for a new election. The removal of a person holding office from one ward to another shall not create a vacancy in such office, nor shall a change of ward boundaries create a vacancy in any office.

1891, 364, § 25,
amended.

SECTION 3. Section twenty-five of said chapter three hundred and sixty-four of the acts of the year eighteen hundred and ninety-one is hereby amended by striking out at the end thereof, the words "No person shall be elected or appointed to any office of emolument who at the time of his election or appointment shall be a member of the board of aldermen or of the common council", and inserting in place thereof the following:— No person shall be eligible for appointment or election to any municipal office by the mayor or city council, or either branch thereof, the salary of which office is payable from the city treasury, during the term for which such person was chosen a member of the city council, — so that said section as amended shall read as follows:— *Section 25.* Neither the city council nor either branch thereof, nor any member or committee thereof, or of either branch thereof, nor the board of aldermen acting in any capacity in which said board may act separately under special powers conferred upon it, nor any member or committee of said board acting in any such capacity, shall directly or indirectly take part in the employment of labor, nor, except as otherwise provided in this act, in the appointment or removal of any officers or subordinates for whose appointment and removal provision is herein made. No person shall be eligible for appointment or election to any municipal office by the mayor or city council, or either branch thereof, the salary of which office is payable from the city treasury, during the term for which such person was chosen a member of the city council.

Not to take part
in the employ-
ment of labor,
etc.

Certain persons
not eligible for
appointment,
etc.

When to take
effect.

SECTION 4. This act shall take effect upon its acceptance by the city council of the city of Cambridge by concurrent vote, provided the same shall be accepted within sixty days from the date of its passage.

Approved March 21, 1896.

AN ACT TO PROVIDE FOR THE PROTECTION OF THE PUBLIC HEALTH *Chap.174*
IN THE CITY OF LYNN.

Be it enacted, etc., as follows:

SECTION 1. Whenever the board of health of the city of Lynn shall adjudge that the public health requires, and shall order that any lands in said city not bordering immediately on tide water be filled to a grade to be established by said order, the owners of said land shall forthwith fill the same in accordance with said order and in a manner and with material satisfactory to said board.

Protection of public health in city of Lynn.

SECTION 2. Any justice of any court having jurisdiction in equity may, on the petition of the board of health of said city, enforce the provisions of this act by any proper process or decree.

Enforcement of provisions.

SECTION 3. This act shall take effect upon its passage.

Approved March 21, 1896.

AN ACT TO AUTHORIZE THE CITY OF CAMBRIDGE TO RESTRICT THE *Chap.175*
USE OF CERTAIN LANDS.

Be it enacted, etc., as follows:

SECTION 1. The city of Cambridge is hereby authorized to enter into an agreement with the Bay State Brick Company as to restricting the use to which a certain tract of clay land, or any part thereof, owned by said company shall hereafter be put, and as to the construction of streets and sewers in said tract, said land being situated in said Cambridge and comprising most of the tract which is bounded southerly by Concord avenue, easterly by Walden street, northerly by a proposed extension of Garden street, and westerly by a certain proposed street.

May agree with Bay State Brick Company to restrict use of certain land.

SECTION 2. Upon such terms as may be mutually agreed upon by said city of Cambridge and said Bay State Brick Company, and to be set forth in said agreement, in regard to restricting the use of the lands in said tract described in section one of this act, and to the construction of streets and sewers therein, the city of Cambridge may lay out, accept and establish certain public streets, to be agreed upon as aforesaid, and may build, construct and establish within said tract main drains and common sewers.

Construction of streets and sewers, etc.

SECTION 3. Said agreement, as to restricting the use of said tract, the laying out of public streets and the

City may assume certain betterments and assessments.

construction of main drains and common sewers therein, may also provide that said city may assume any betterments and assessments, except sidewalk and edgestone assessments, assessed upon or on account of the remainder of said company's land and land of any owner or owners of any land within said tract, or any portion thereof, for or on account of such location, laying out and construction of said streets, main drains or common sewers within said tract.

May agree with owners to restrict use of certain other lands, etc.

SECTION 4. The city of Cambridge, at any time within ten years after the passage of this act, may also by a similar agreement with the respective owner or owners as to the construction of streets and sewers as hereinbefore mentioned in this act, or upon such other terms as may be mutually agreed upon with the respective owner or owners, restrict the uses to which other clay lands in Cambridge may be put. At any time also within ten years after the passage of this act the city of Cambridge, by its city council, may restrict the excavating, other than for the purposes of the erection of buildings, of clay lands in said city, other than the tract described in section one of this act, and other than lands now belonging to the Bay State Brick Company.

Description of lands to be recorded.

SECTION 5. The said city shall, within sixty days after the restricting of the use of any clay lands, other than by agreement as aforesaid, cause to be recorded in the registry of deeds for the southern district of Middlesex a description thereof sufficiently accurate for identification, with a statement of the restrictions imposed upon the same, which statement shall be signed by the mayor.

Damages

SECTION 6. Said city shall be liable to pay all damages sustained by any persons or corporations by the restricting of the use of any of their land as aforesaid. If any person sustaining damage as aforesaid does not agree with said city upon the amount of said damage he may, within one year from such restricting and not afterwards, apply by petition to the superior court for said county of Middlesex for the assessment of said damage. Such petition may be filed in the clerk's office of said court, and the clerk shall thereupon issue a summons to the said city, returnable on the first Monday of the next month after the expiration of fourteen days from the filing of the petition, to appear and answer to the petition. The summons shall be served fourteen days at

least before the day at which it is returnable, by leaving a copy thereof and of the petition, certified by the officer who serves the same, with the clerk of said city; and the court may, upon default of said city, or upon hearing, appoint three disinterested persons, who shall, after reasonable notice to the parties, assess the damages, if any, which such petitioner may have sustained as aforesaid, together with interest at the rate of six per centum per annum from the passage of the order of restriction as aforesaid. And the award of the persons so appointed, or of a major part of them, being returned into and accepted by the court shall be final, and judgment shall be rendered and execution issued thereon for the prevailing party, with costs, unless one of the parties claims a trial by jury, as hereinafter provided.

SECTION 7. If either of the parties mentioned in the preceding section is dissatisfied with the amount of damage awarded, such party may, at the sitting at which such award was accepted, or at the next sitting thereafter, claim in writing a trial in said court, and have a jury to hear and determine all questions of fact relating to such damages, and to assess the amount thereof with interest as aforesaid; and the report of the persons so appointed to assess damages shall be prima facie evidence upon such matters only as are expressly embraced in the order of their appointment, and the verdict of the jury being accepted and recorded by the court shall be final and conclusive, and judgment shall be rendered and execution issued thereon, and costs shall be recovered by the parties, respectively, in the same manner as is provided by law in regard to proceedings relating to the laying out of highways.

SECTION 8. In every case of a petition to the superior court for an assessment of damages as provided in this act the said city may tender to the petitioner or to his attorney any sum, or may bring the same into court to be paid to the petitioner, for the damages by him sustained or claimed in his petition, or may in writing offer to be defaulted and that damages may be awarded against it for the sum therein expressed; and if the petitioner does not accept the sum so offered or tendered, with his costs up to that time, but proceeds with his suit, he shall be entitled to his costs to the time of such tender or payment into court, or offer of judgment, and shall not be

Damages.

Damages to be determined by a jury in certain cases, etc.

City may tender any sum as damages, etc.

entitled to either costs or interest afterwards, unless the amount recovered by him in such action exceeds the amount so tendered.

Real estate benefited may be assessed.

SECTION 9. At any time within two years after the use of any land is restricted under this act the board of aldermen of said city of Cambridge, if in its opinion any real estate in said city receives any benefit and advantage from such restricting beyond the general advantages to all real estate in said city, may adjudge and determine the value of such benefit and advantage to any such real estate, and may assess upon the same a proportional share of the cost of land so restricted; but in no case shall the assessment exceed one half of the amount of such adjudged benefit and advantage. Said real estate subject to such assessment may include the remainder of the land of which a part is restricted, and real estate which does not abut upon the land from the restricting of which the betterments accrue, or upon a street or way bounded upon such restricted land. Any assessment so made upon any land now belonging to said Bay State Brick Company shall be assumed by the city of Cambridge.

Assessments to constitute a lien upon real estate.

SECTION 10. Assessments made under the preceding section shall constitute a lien upon the real estate so assessed, and shall be collected and enforced, with the same rights to owners to surrender their estates and the same proceedings thereupon, and with the same rights of and proceedings upon appeal, as are provided by chapter fifty-one of the Public Statutes.

Cambridge Clay Land Loan.

SECTION 11. For the purpose of defraying the expense and damages, if any, incident to the restricting of any land as aforesaid the city council of Cambridge shall have the authority to issue, in excess of the limit allowed by law, scrip or bonds, to be denominated, Cambridge Clay Land Loan, to an amount not exceeding fifty thousand dollars in each and every municipal year, and within ten years from the passage of this act, bearing interest not exceeding four and one half per centum per annum, payable semi-annually, the principal to be payable at periods of not more than thirty years from the issuing of such scrip or bonds respectively. Said city council may sell the same or any part thereof from time to time, or pledge the same for money borrowed for the above purposes; but the same shall not be sold or pledged

for less than the par value thereof. The provisions of the tenth and eleventh sections of chapter twenty-nine of the Public Statutes shall, so far as applicable, apply to this act. P. S. 29, §§ 10 and 11, to apply.

SECTION 12. This act shall take effect upon its acceptance by the city council of Cambridge. When to take effect.

Approved March 21, 1896.

AN ACT TO REIMBURSE THE TREASURERS OF THE COUNTIES OF BRISTOL, ESSEX, MIDDLESEX AND WORCESTER FOR THEIR TRAVELLING EXPENSES. Chap.176

Be it enacted, etc., as follows:

SECTION 1. On and after the first day of March in the year eighteen hundred and ninety-six there shall be allowed and paid to the treasurers of the counties of Bristol, Essex, Middlesex and Worcester, the actual, necessary and proper travelling expenses incurred and paid by them in the transaction of county business, upon a certified itemized statement of such expenses made upon the first day of each month to the county commissioners of the respective counties, who shall audit and approve the same in like manner with other bills against the county. Travelling expenses.

SECTION 2. This act shall take effect upon its passage

Approved March 21, 1896.

AN ACT TO AUTHORIZE THE TOWN OF WAYLAND TO REFUND A PORTION OF ITS WATER FUND BONDS. Chap.177

Be it enacted, etc., as follows:

SECTION 1. The town of Wayland is hereby authorized to issue bonds, notes or scrip to an amount not exceeding fifteen thousand dollars, for the purpose of refunding an equal amount of its water fund bonds falling due in the year eighteen hundred and ninety-eight. Such bonds, notes or scrip shall be payable at the expiration of periods not exceeding fifteen years from the date of issue; shall bear interest payable semi-annually at a rate not exceeding five per cent. per annum, and shall be signed by the town treasurer and countersigned by the water commissioners of the town. Said town may sell such securities at public or private sale, at not less than par, but none of said bonds, notes or scrip shall be May issue additional bonds, etc.

issued or sold except in compliance with a vote of the town.

SECTION 2. This act shall take effect upon its passage.

Approved March 21, 1896.

Chap. 178 AN ACT TO AUTHORIZE ADDITIONAL INVESTMENTS BY SAVINGS BANKS AND INSTITUTIONS FOR SAVINGS.

Be it enacted, etc., as follows :

Investments of
deposits in sav-
ings banks, etc.

SECTION 1. In addition to the investments authorized by section twenty-one of chapter three hundred and seventeen of the acts of the year eighteen hundred and ninety-four savings banks and institutions for savings may invest their deposits, and the income derived therefrom, in the bonds and notes of the New York, New Haven and Hartford Railroad Company, issued according to law, notwithstanding the existence of a mortgage indebtedness not matured upon the whole or a part of the road of said railroad company ; also in the note or notes of any citizen of this Commonwealth, with a pledge as collateral of shares of the capital stock of the Boston and Lowell Railroad Corporation ; of the Boston and Providence Railroad Company ; of the Connecticut River Railroad Company, and of the Old Colony Railroad Company, notwithstanding the road of each of said companies may be leased to some other railroad company ; such note or notes not to exceed in any case seventy-five per cent. of the market value of the securities pledged, and to be made payable on demand, and to be paid or renewed within one year of the date thereof.

SECTION 2. This act shall take effect upon its passage.

Approved March 21, 1896.

Chap. 179 AN ACT RELATING TO THE RETURNS OF SCHOOL COMMITTEES TO THE STATE BOARD OF EDUCATION.

Be it enacted, etc., as follows :

P. S. 46, § 5,
amended.

Section five of chapter forty-six of the Public Statutes is hereby amended by inserting after the word "teachers", in the fifth line of said section, the words : — transportation of school children, — and after the word "teachers", in the fifth line of the form of certificate contained in said section, the words : — transportation of school children, — also by striking out the words "six months", in the ninth line of said form of certificate, and inserting in

place thereof the words:—the number of months required by law, to wit, eight months in all towns of four thousand inhabitants or more, and six months in all other towns,—so that the section as amended shall read as follows:—*Section 5.* The school committee shall annually, on or before the last day of the following April, certify under oath the numbers so ascertained and recorded, and the sum raised by their city or town for the support of schools during the preceding school year, including only wages and board of teachers, transportation of school children, fuel for the schools, and care of the fires and school-rooms; and they shall transmit such certificate to the secretary of the board of education. The form of such certificate shall be as follows: to wit,—

School committee to certify number of children, etc.

We, the school committee of _____, do certify that on the first day of May, in the year _____, there were _____ belonging to said town (or city) the number of _____ persons between the ages of five and fifteen; and we further certify that said town (or city) raised the sum of _____ dollars for the support of public schools for the preceding school year, including only the wages and board of teachers, transportation of school children, fuel for the schools, and care of fires and school-rooms, and that said town (or city) maintained, during said year, each of the schools required to be kept by section one of chapter forty-four of the Public Statutes for a period not less than the number of months required by law, to wit, eight months in all towns of four thousand inhabitants or more, and six months in all other towns; and we further certify that said town (or city) maintained during said year _____ school for the benefit of all the inhabitants of the town (or city), as required by section two of chapter forty-four of the Public Statutes for _____ months and _____ days.

Form of certificate.

} School Committee.

_____, ss.
On this _____ day of _____, personally appeared the above-named school committee of _____, and made oath that the above certificate by them subscribed is true.

Before me,

Justice of the Peace.

Approved March 21, 1896.

*Chap.*180

AN ACT TO SUPPLY THE TOWN OF HOLDEN WITH WATER.

Be it enacted, etc., as follows :

Water supply
for town of
Holden.

SECTION 1. The town of Holden may supply itself and its inhabitants with water for the extinguishment of fires and for manufacturing, domestic and other purposes ; may establish fountains and hydrants, relocate and discontinue the same, and may regulate the use of such water and fix and collect rates to be paid for the use of the same.

May take cer-
tain waters,
lands, etc.

SECTION 2. The said town, for the purposes aforesaid, and for the purpose of obtaining a supply of water, may take, by purchase or otherwise, and hold the waters of Muschopange pond, in the town of Rutland in said pond under chapter one hundred and fifty-eight of the acts of the year eighteen hundred and ninety-five, and the waters that flow into and from the same ; and it may take, by purchase or otherwise, and hold any water rights connected with said pond, and any springs and streams tributary thereto, and the waters of any other ponds or water sources within the watershed of said brooks or tributaries thereof, and also all lands, rights of way and easements necessary for holding and preserving such water and for conveying the same to any part of said town ; and may erect upon the land thus taken or held proper dams, buildings, fixtures and other structures, and may make excavations, procure and operate machinery, and provide such other means and appliances as may be necessary for the establishment and maintenance of complete and effective water works ; and may construct and lay down conduits, pipes and other works, under or over any lands, water courses, railroads or public or private ways, and along any such way, in such manner that the same when completed shall not unnecessarily obstruct such way ; and for the purpose of constructing, maintaining and repairing such conduits, pipes and other works, and for all proper purposes of this act, said town may dig up, raise and embank any such lands or ways in such manner as to cause the least hindrance to public travel on such ways ; and may do all acts necessary for the completion of the same.

May erect build-
ings, lay down
pipes, etc.

Description of
land, etc., to be
recorded.

SECTION 3. The said town of Holden shall, within ninety days after the taking of any land, rights of way,

water rights, water sources or easements as aforesaid, otherwise than by purchase, file and cause to be recorded in the Worcester district registry of deeds a description thereof sufficiently accurate for identification, with a statement of the purpose for which the same were taken, signed by the water commissioners hereinafter provided for or by such person or persons as may be authorized to act by the said town of Holden.

SECTION 4. The said town shall pay all damages sustained by any person or corporation in property by the taking of any land, right of way, water, water source, water right or easement, or any other thing done by said town under the authority of this act. Any person or corporation entitled to damages as aforesaid under this act, who fails to agree with said town as to the amount of damages sustained, may have the damages assessed and determined in the manner provided by law when land is taken for the laying out of highways, by making application at any time within the period of three years from the taking of such land or other property or the doing of any injury under the authority of this act; but no application shall be made after the expiration of said three years. No application for assessment of damages shall be made for the taking of any water, water right, or any injury thereto, until the water is actually withdrawn or diverted by said town under the authority of this act. Damages.

SECTION 5. The said town may, for the purpose of paying the necessary expenses and liabilities incurred under the provisions of this act, issue from time to time bonds, notes or scrip, to an amount not exceeding in the aggregate forty thousand dollars; such bonds, notes and scrip shall bear on their face the words, Holden Water Loan, shall be payable at the expiration of periods not exceeding thirty years from the date of issue, shall bear interest payable semi-annually at a rate not exceeding six per cent. per annum, and shall be signed by the treasurer of the town and be countersigned by the water commissioners hereinafter provided for. The said town may sell such securities at public or private sale or pledge the same for money borrowed for the purposes of this act, and upon such terms and conditions as it may deem proper. The said town shall pay the interest on said loan as it accrues, and shall provide at the time of contracting said loan for the establishment of a sinking fund, Holden Water Loan.

Sinking fund.

and shall annually contribute to such fund a sum sufficient with the accumulations thereof to pay the principal of said loan at maturity. The said sinking fund shall remain inviolate and pledged to the payment of said loan and shall be used for no other purpose.

May provide for annual payments on loan.

SECTION 6. The said town instead of establishing a sinking fund may at the time of authorizing said loan provide for the payment thereof in such annual payments as will in the aggregate extinguish the same within the time prescribed in this act; and when such vote has been passed the amount required shall without further vote be assessed by the assessors in said town in each year thereafter until the debt incurred by said loan shall be extinguished, in the same manner as other taxes are assessed under the provisions of section thirty-four of chapter eleven of the Public Statutes.

Payment of expenses, etc.

SECTION 7. The town shall raise annually by taxation a sum which with the income derived from the water rates will be sufficient to pay the current annual expenses of operating its water works and the interest as it accrues on the bonds, notes or scrip issued as aforesaid by said town, and to make such contributions to the sinking fund and payments on the principal as may be required under the provisions of this act.

Penalty for corruption of water, etc.

SECTION 8. Whoever wilfully or wantonly corrupts, pollutes or diverts any of the waters taken or held under this act, or injures any structure, work or other property owned, held or used by said town under the authority and for the purposes of this act, shall forfeit and pay to said town three times the amount of damages assessed therefor, to be recovered in an action of tort; and upon conviction of either of the above wilful or wanton acts shall be punished by a fine not exceeding three hundred dollars or by imprisonment not exceeding one year.

Water commissioners, election, terms, etc.

SECTION 9. The said town shall, after its acceptance of this act, at a legal meeting held for the purpose, elect by ballot three persons to hold office, one until the expiration of three years, one until the expiration of two years and one until the expiration of one year from the next succeeding annual town meeting, to constitute a board of water commissioners; and at each annual town meeting thereafter one such commissioner shall be elected by ballot for the term of three years. All the authority granted to the town by this act and not otherwise specially

provided for shall be vested in said board of water commissioners, who shall be subject however to such instructions, rules and regulations as said town may impose by its vote. The said commissioners shall be trustees of the sinking fund herein provided for, and a majority of said commissioners shall constitute a quorum for the transaction of business relative both to the water works and the sinking fund. Any vacancy occurring in said board for any cause may be filled for the remainder of the unexpired term by said town at any legal town meeting held for the purpose.

To be trustees
of sinking fund.

Vacancy.

SECTION 10. This act shall take effect upon its acceptance by a two thirds vote of the voters of said town present and voting thereon at a legal town meeting held for the purpose within three years from its passage; but the number of meetings so called in any one year shall not exceed four.

When to take
effect.

Approved March 21, 1896.

AN ACT TO EXEMPT THE CITY OF CHICOPEE FROM THE PROVISIONS
OF ACTS RELATIVE TO THE RATE OF TAXATION IN CITIES.

Chap.181

Be it enacted, etc., as follows:

SECTION 1. The city of Chicopee is hereby exempted from the operation of section one of chapter three hundred and twelve of the acts of the year eighteen hundred and eighty-five, of section one of chapter two hundred and forty-seven of the acts of the year eighteen hundred and ninety-three, and of section one of chapter four hundred and forty-five of the acts of the year eighteen hundred and ninety-three, until the first day of January in the year nineteen hundred.

To be exempt
from operation
of certain provisions
of law.

SECTION 2. This act shall take effect upon its passage.

Approved March 23, 1896.

AN ACT RELATIVE TO THE NAVAL BRIGADE OF THE MILITIA OF
THE COMMONWEALTH.

Chap.182

Be it enacted, etc., as follows:

SECTION 1. The officers of the naval brigade shall consist of one captain, who shall be chief of brigade, and whose rank and pay shall be the same as that of a colonel of infantry. Two lieutenant commanders, who shall be chiefs of battalion, and whose rank and pay shall be the same as that of a major of infantry. The senior lieutenant

Officers of naval
brigade, rank,
compensation,
etc.

ant commander shall be the executive officer of the naval brigade, the junior lieutenant commander the navigator of the naval brigade, in addition to their duties as chiefs of battalion. A staff, which shall consist of a surgeon, brigade adjutant, an ordnance officer, an equipment officer, a paymaster, who shall be the mustering officer for the brigade, an engineer, a signal officer, and an assistant surgeon. The surgeon shall be a lieutenant commander, and shall have the rank and pay corresponding to that of a major of infantry. The other staff officers, except the paymaster, signal officer and assistant surgeon, shall have the rank of lieutenants, and shall have the rank and pay corresponding to that of captains of infantry. The paymaster, signal officer and assistant surgeon shall have the rank of lieutenant, junior grade, and shall have the same rank and pay as first lieutenants of infantry. There shall also be attached to the brigade staff the following petty officers: — One master-at-arms, who shall be the chief petty officer of the brigade, and who shall have the rank and pay of a sergeant major of infantry. One equipment yeoman, two paymaster's yeomen, one apothecary, and one chief bugler, all of whom shall have the same rank and pay as non-commissioned staff of infantry. There shall also be attached to headquarters of the naval brigade an engineer's force, which shall consist of four machinists, who shall have the rank and pay of non-commissioned staff of infantry, three water tenders and three oilers, who shall have the same rank and pay as sergeants and corporals of infantry, respectively, and fifteen firemen, who shall rate as privates of infantry. The men comprising this division shall have, in addition to the usual requirements for enlistment in the Massachusetts volunteer militia, such experience as mechanics, steam engineers or firemen as shall fit them for their several ratings. There shall also be a signal corps attached to headquarters of the naval brigade, which shall consist of one chief quartermaster, who shall have the same rank and pay as non-commissioned staff of infantry, two quartermasters, who shall have the rank and pay of sergeants of infantry, and eight enlisted men. There shall also be attached to the headquarters of the naval brigade a torpedo division, which shall consist of one chief gunner's mate, who shall have the rank and pay of non-commissioned staff of infantry, two gunner's

Staff officers.

Petty staff officers.

Engineer's force.

Signal corps

Torpedo division.

mates, who shall have the rank and pay of sergeants of infantry, and ten seamen. For all of the above forces the brigade commander shall be the recruiting officer, and they shall be uniformed and equipped as the commander-in-chief may direct. To each company of the naval brigade there shall be one lieutenant, who shall be chief of company, one lieutenant, junior grade, and one ensign, who shall correspond in rank and pay to captains and first and second lieutenants of infantry, respectively, one chief boatswain's mate, two boatswain's mates, two gunner's mates, two quartermasters, two coxswains, one bugler, one bayman and forty-four seamen; and the minimum number of enlisted men shall be forty-one. The chief boatswain's mate shall rank with a first sergeant, boatswain's mates and gunner's mates with sergeants, coxswains and quartermasters with corporals of infantry. The seamen and bayman shall receive the same pay as enlisted men in companies of infantry. The duty of the naval brigade may be performed afloat. On the passage of this act all supernumerary enlisted men will be honorably discharged. Officers affected by this act, now holding commissions, shall retain their rank and position until vacancies occur in their respective grades; but no further elections or appointments shall be had in such grades until the brigade is reduced to the number of officers allowed by this act.

Company officers.

Officers affected to retain rank, etc.

SECTION 2. All acts and parts of acts inconsistent with this act are hereby repealed. **Repeal.**

SECTION 3. This act shall take effect upon its passage.

Approved March 25, 1896.

AN ACT RELATIVE TO THE COLLATERAL LOAN COMPANY.

Chap. 183

Be it enacted, etc., as follows:

SECTION 1. The Collateral Loan Company, a corporation organized under the laws of this Commonwealth, is hereby exempted from the operation of the provisions of chapter four hundred and ninety-seven of the acts of the year eighteen hundred and ninety-five, but shall be subject to the provisions of chapter four hundred and sixteen of the acts of the year eighteen hundred and ninety, to the same extent as if the said provisions were expressly re-enacted as a part of this act.

Exempt from operation of 1895, 497, etc.

SECTION 2. This act shall take effect upon its passage.

Approved March 25, 1896.

Chap.184 AN ACT MAKING AN APPROPRIATION FOR EXPENSES OF THE METROPOLITAN PARK COMMISSION.*Be it enacted, etc., as follows:*Metropolitan
park commis-
sioners.

SECTION 1. A sum not exceeding forty thousand dollars is hereby appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, to be expended by the metropolitan park commissioners for the care and maintenance of reservations under their charge, and for salaries, rent, travelling expenses, stationery, incidental and contingent expenses of said commissioners, during the year ending on the thirty-first day of December in the year eighteen hundred and ninety-six.

SECTION 2. This act shall take effect upon its passage.

*Approved March 25, 1896.***Chap.185** AN ACT RELATIVE TO THE BOARD OF LICENSE COMMISSIONERS OF THE CITY OF NEW BEDFORD.*Be it enacted, etc., as follows:*May issue new
licenses in cer-
tain cases, etc.

SECTION 1. The board of license commissioners of the city of New Bedford may, upon the filing of a new bond and without the payment of a license fee, issue a new license to any holder of a license granted or transferred by said board in the year eighteen hundred and ninety-five, and which has been or may be revoked for any informality in the notice of the application therefor or the publication thereof; and any conviction which has been or may be had of a licensee of said board by reason of informality in his license or in the proceedings of said board relative thereto, shall not make void a license issued for a license year subsequent to April thirtieth, in the year eighteen hundred and ninety-six.

SECTION 2. This act shall take effect upon its passage.

*Approved March 25, 1896.***Chap.186** AN ACT RELATIVE TO TEACHERS' INSTITUTES.*Be it enacted, etc., as follows:*P. S. 42, § 1,
amended.

Section one of chapter forty-two of the Public Statutes is hereby amended by striking out the word "fifty", in the first line, and inserting in place thereof the words: — twenty-five, — and by inserting after the word "schools", in the second line, the words: — in at least three contig-

uous towns,—so as to read as follows:— *Section 1.* Teachers' Institutes.
When the board of education is satisfied that twenty-five teachers of public schools in at least three contiguous towns desire to unite in forming a teachers' institute, it shall, by a committee or by its secretary, or in case of his inability by such person as it may delegate, appoint and give notice of a time and place for such meeting, and make suitable arrangements therefor.

Approved March 25, 1896.

AN ACT TO DETERMINE THE BOUNDARY BETWEEN THE TOWNS OF *Chap.187*
GAY HEAD AND CHILMARK.

Be it enacted, etc., as follows:

SECTION 1. The board of harbor and land commissioners shall examine, define and determine the boundary line between the towns of Gay Head and Chilmark, and the boundary line thus fixed shall be the true and correct boundary line between said towns; and the commissioners shall file a report of their doings, with suitable plans and exhibits showing the boundary line by them so located, in the registry of deeds for Dukes County, and also in the office of the secretary of the Commonwealth. Boundary line between Gay Head and Chilmark.

SECTION 2. Said commissioners are hereby authorized to employ, with the approval of the governor and council, surveyors and clerical assistance so far as may be necessary to carry out the provisions of this act, at an expense not exceeding two hundred dollars. Clerical assistance, etc.

Approved March 25, 1896.

AN ACT RELATIVE TO THE NEVINS MEMORIAL.

Chap.188

Be it enacted, etc., as follows:

SECTION 1. The Nevins Memorial is hereby authorized to permit the interment, within the limits of the real estate belonging to said corporation, of the remains of David Nevins and his wife, Eliza S. Nevins, and the erection of such monument or memorial as said corporation may approve. May permit interment, etc.

SECTION 2. This act shall take effect upon its passage.

Approved March 25, 1896.

Chap. 189 AN ACT TO PROVIDE FOR PRINTING ADDITIONAL COPIES OF THE
REPORT OF THE TREASURER AND RECEIVER GENERAL.

Be it enacted, etc., as follows:

Report of
treasurer and
receiver general.

SECTION 1. There shall be printed for the use of the treasurer and receiver general four hundred copies of his report in addition to the number now authorized by law.

SECTION 2. This act shall take effect upon its passage.

Approved March 25, 1896.

Chap. 190 AN ACT TO PROVIDE FOR THE PRESERVATION OF PUBLIC SHADE
TREES, AND TO AUTHORIZE TOWNS TO ELECT TREE WARDENS.

Be it enacted, etc., as follows:

Tree wardens.

SECTION 1. Any town may at its annual election of town officers elect a tree warden, to serve for one year.

Powers and
duties.

SECTION 2. The tree warden shall have full care and control of all public shade trees in the town. He shall have charge of the expenditure of all public funds appropriated or granted for setting out shade trees, and may order the removal of such shade trees, or parts thereof, as he may determine to be for the best interests of the public, after hearing parties interested.

Not to remove,
etc., certain
trees without
public notice,
etc.

SECTION 3. No tree warden or other person shall cut down, remove or injure any live public shade tree until the warden has given public notice of the intention so to do by posting a notice on the tree and in at least seven public places in the town. Said notice shall also appoint a suitable time and place for hearing all parties interested. At the time and place appointed the tree warden shall attend and hear all persons appearing relative to the matter, and shall then determine as to the necessity or expediency of such removal, and his decision shall be final.

To prosecute
complaints.

SECTION 4. Tree wardens shall enter and prosecute complaints for malicious injury to, or unlawful acts concerning, public shade trees.

Compensation.

SECTION 5. Tree wardens shall receive reasonable compensation for their services from the town treasury.

Repeal.

SECTION 6. All acts or parts of acts inconsistent herewith are hereby repealed.

SECTION 7. This act shall take effect upon its passage.

Approved March 25, 1896.

AN ACT TO AUTHORIZE THE TRUSTEES OF THE PEABODY MUSEUM *Chap.191*
OF AMERICAN ARCHÆOLOGY AND ETHNOLOGY TO TRANSFER THE
PROPERTY HELD BY THEM TO THE PRESIDENT AND FELLOWS OF
HARVARD COLLEGE.

Be it enacted, etc., as follows :

SECTION 1. The Trustees of the Peabody Museum of American Archæology and Ethnology are authorized and empowered to convey all the property in their hands to the President and Fellows of Harvard College, upon the same trusts upon which it is now held by the said trustees, and upon such other trusts not conflicting or inconsistent therewith as the said trustees and the said president and fellows may agree upon; and the said President and Fellows of Harvard College are hereby authorized to receive the said property upon the said trusts, and shall thereupon have all the powers and be subject to all the duties in relation to the said property, given to and imposed upon the said trustees by the several instruments and deeds of trust under which they now hold the said property.

May convey property to President and Fellows of Harvard College, etc.

SECTION 2. This act shall take effect upon its passage.

Approved March 25, 1896.

AN ACT TO INCORPORATE THE BARRE VILLAGE IMPROVEMENT *Chap.192*
SOCIETY.

Be it enacted, etc., as follows :

SECTION 1. George R. Simonds, George A. Brown, Albert R. Stone, James A. Carruth, Frances W. Jenkins, Clinton C. Cook, George N. Harwood, James B. Colby, Julia A. B. Smith, Adelaide L. Allen, Ellen A. Johnson, Pliny H. Babbitt, James F. Davis, John W. Rice, Oramel Clark, Mary Brimblecom Martin, Catherine W. Brown, Lucy H. B. Harding, Henry Woods, Eugene A. Bassett, Samuel P. Mandell, John B. Renton, J. Henry Woods, Elizebeth W. Lee, Caroline E. Billings, Matthew Walker, Charles G. Allen, Austin G. Wheelock, Joseph F. Gaylord, Helen A. Goddard, Caroline W. Woods, Alice M. Hathorne, Lucy Rice, James O. Cook, Frank A. Rich, Asahel N. Elliott, Minerva A. Bailey, Louise Gorham Wilder, Elihu L. Sawyer, William H. Whiting, Alexander G. Williams, Edward Flynn, Sylvester Bothwell, Isabel Chase Shattuck, Marianne Russell Bartholomew,

Barre Village Improvement Society incorporated.

Barre Village
Improvement
Society incor-
porated.

George P. King, Alberto P. Clark, George E. Allen, Benery Ford, Mary G. Woods, J. Allen Rice, Estes Hawes, Charles H. Osgood, Elizabeth L. Pierce, Nellie M. Conant, Clara Maria Rice, Harding Jenkins, T. Hanson White, J. Frank Barrett, Anna B. Comee, Mary Bates Atwood, Charles N. Winship, Timothy H. Spooner, George E. Bates, James Crane, John L. Smith, Mary L. Cook, Alice C. Follansby, Benjamin F. Brooks, William C. Peck, Edwin J. Ames, Mary J. Rogers, Jennie R. E. Johnson, Charles S. Root, Henry W. Harwood, James N. Heald, Charles E. Haven, Ann J. Wadsworth, Rebecca P. Smith, Lizzie Ingersoll, Herbert A. Knight, Alfred Holden, F. Eugene Williams, Annie M. Barry, Mabel Adams Munroe, P. Mirick Harwood, Justin F. Rice, Thomas P. Blakely, Abner R. Mott, Marshall H. Bacon, Thomas B. May, William F. Tay, James B. Taylor, James A. Rice, Ernest E. Rice and their associates and successors, are hereby made a corporation by the name of the Barre Village Improvement Society, for the purpose of constructing, repairing and maintaining sidewalks and crossings in the public streets, planting and protecting shade trees by the roadsides, ornamenting and caring for public grounds and parks in the town of Barre, under the direction and subject to the approval of the selectmen of said town, with power to hold, maintain, improve and ornament any park, grove, or other lands in said town of which said corporation may become possessed, by purchase, gift or otherwise. Also to preserve natural scenery, curiosities and places of historic interest in said town; with all the powers and privileges and subject to all the duties, restrictions and liabilities set forth in all general laws which are now or may hereafter be in force, applicable to such corporations and not inconsistent with this act.

Membership.

SECTION 2. Said corporation shall consist of not less than forty members, three fourths at least of which number shall be residents of the town of Barre.

Trustees, election, etc.

SECTION 3. The management and control of the property and affairs of said corporation, subject to its by-laws, shall be vested in a board of twelve trustees, who shall be elected, four each year, for the term of three years: *provided, however*, that at the first election four trustees shall be elected for one year, four for two years and four for three years. Said trustees shall elect annually from

Proviso.

their number a president, treasurer and clerk, who shall serve until their successors are elected and qualified. The treasurer shall give such bonds as the trustees direct. In the case of a vacancy on the board of trustees from any cause such vacancy may be filled at any regular or special meeting of the corporation; and in case of vacancy in the offices of president, treasurer or clerk, said vacancy may be filled at any regular meeting of the trustees or at any special meeting, if notice of said election shall have been given. In the choice of members of the corporation and the board of trustees, or the above-named officers, no distinction shall be made on account of sex.

Vacancies.

No distinction to be made on account of sex.

SECTION 4. Said corporation may adopt such by-laws as it deems best for carrying out the purposes of its organization, and said board of trustees may make such by-laws for their government as they see fit: *provided, however*, that such by-laws contain nothing inconsistent with the provisions of law or this act.

By-laws.

Proviso.

SECTION 5. Said corporation may obtain by purchase, gift or otherwise, lands in the town of Barre not exceeding one hundred acres in extent, and may hold, develop and administer the same for park and pleasure purposes, the public to have free access to said lands and parks, under reasonable regulations to be approved by the selectmen of said town.

May obtain lands, etc.

SECTION 6. Said corporation may receive and hold for the purposes aforesaid any grants, donations or bequests, under such conditions and rules as may be prescribed in such grants, donations and bequests, if not inconsistent with the provisions of law or this act; and in the absence of conditions attached to any grants, donations or bequests all funds thus received shall be held in trust, the income only to be expended for the general purposes of the corporation as before mentioned; and such grants, donations or bequests, whether in real estate or personal property, not exceeding fifty thousand dollars in value, in addition to the one hundred acres of land before mentioned, shall be exempt from taxation so long as administered for the public purposes herein set forth.

Grants, bequests, etc.

SECTION 7. The town of Barre is hereby authorized to appropriate and pay money to said corporation for the general purposes thereof, or for any specific purposes which may be designated, and said corporation shall

Town may appropriate money, etc.

receive and use, in conformity to this act or as designated, all such appropriations.

Copy of report
to be filed with
selectmen.

SECTION 8. The treasurer of the corporation shall, in the month of January in each year, file with the selectmen of the town a copy of the treasurer's report, showing the income of the corporation and the purposes for which all sums were expended during the preceding year.

SECTION 9. This act shall take effect upon its passage.

Approved March 25, 1896.

Chap.193 AN ACT RELATIVE TO THE CALLING IN OF BOOKS OF DEPOSIT BY SAVINGS BANKS AND INSTITUTIONS FOR SAVINGS.

Be it enacted, etc., as follows:

1894, 317, § 47,
amended.

Section forty-seven of chapter three hundred and seventeen of the acts of the year eighteen hundred and ninety-four is hereby amended by striking out all after the word "verification", in the fourth line, and inserting in place thereof the words:—under rules to be prescribed by their respective boards of investment, duly approved by the board of commissioners of savings banks,—so that the section as amended will read as follows:—*Section 47.* During the year eighteen hundred and ninety-five and every third year thereafter every such corporation shall call in the books of deposit of their depositors for verification, under rules to be prescribed by their respective boards of investment, duly approved by the board of commissioners of savings banks.

Verification
of books of
deposit.

Approved March 25, 1896.

Chap.194 AN ACT TO PROVIDE COMPENSATION FOR THE JUDGES OF PROBATE AND INSOLVENCY FOR PREPARING RULES AND BLANKS.

Be it enacted, etc., as follows:

Judges of
probate and
insolvency,
compensation
for preparation
of certain
blanks, etc.

SECTION 1. The judges of probate and insolvency who were charged with the duty of preparing rules of practice and procedure and blanks for courts of probate and insolvency, in accordance with the provisions of chapter three hundred and seventy-two of the acts of the year eighteen hundred and ninety-three, shall be paid such compensation for their services as the governor and council shall determine. Such amount shall be paid in the same manner as other claims against the Commonwealth.

SECTION 2. This act shall take effect upon its passage.

Approved March 25, 1896.

AN ACT TO PROVIDE FOR THE PROTECTION OF THE PUBLIC HEALTH *Chap.195*
IN THE CITY OF CAMBRIDGE.

Be it enacted, etc., as follows :

SECTION 1. Whenever the board of health of the city of Cambridge shall adjudge that the public health requires, and shall order that any lands in said city, other than clay lands lying west of Walden street and within the present limits of wards one and five, and lands not immediately abutting on Charles or Miller's rivers, be filled to the grade specified in such order, which grade shall not exceed thirteen feet above mean low water, the owners of said land shall forthwith fill the same in accordance with said order and in a manner and with material satisfactory to said board.

Protection of
public health in
Cambridge.

SECTION 2. Any justice of any court having jurisdiction in equity may, on the petition of the board of health of said city, enforce the provisions of this act by any proper process or decree.

Enforcement of
provisions.

SECTION 3. This act shall take effect upon its passage.

Approved March 25, 1896.

AN ACT TO AUTHORIZE THE ARLINGTON CO-OPERATIVE ASSOCIATION *Chap.196*
TO INCREASE ITS CAPITAL STOCK.

Be it enacted, etc., as follows :

The Arlington Co-operative Association is hereby authorized to increase its capital stock in the manner provided by law, at such times and in such amounts as it may from time to time determine: *provided*, that the whole amount of the capital stock of said Arlington Co-operative Association shall not exceed two hundred and fifty thousand dollars.

May increase
capital stock.

Provided.

Approved March 25, 1896.

AN ACT TO AUTHORIZE THE CITY OF NORTH ADAMS TO ISSUE BONDS, *Chap.197*
NOTES OR SCRIP FOR THE PURPOSE OF ACQUIRING LAND AND OF
ERECTING PUBLIC BUILDINGS THEREON.

Be it enacted, etc., as follows :

SECTION 1. The city of North Adams may issue bonds, notes or scrip of the city to an amount not exceeding the aggregate principal sum of one hundred and seventy thousand dollars beyond the limit now prescribed by law. Such bonds, notes and scrip shall be designated, School

School House
and City Hall
Loan of 1896.

House and City Hall Loan of 1896, and be payable in not exceeding thirty years from their date, and bear interest at a rate not exceeding four per centum per annum, and shall be signed by the treasurer and countersigned by the mayor of the city.

Sinking fund,
etc.

SECTION 2. The city shall provide a sinking fund and shall contribute thereto sums raised annually by taxation which shall be sufficient with accumulations to pay at maturity the principal of any bonds, notes or scrip issued under this act, but if any of such bonds, notes and scrip shall be so payable that a portion thereof shall be due annually no sums need be paid into such fund in respect thereof.

Sale of bonds,
purchase of
lands, etc.

SECTION 3. The city council may authorize the treasurer to sell any such bonds, notes or scrip, in his discretion, for not less than the par value thereof, or to pledge the same for borrowed money. The proceeds thereof shall be used to buy, acquire, take and pay for the real estate on the southwestern corner of Summer and Morris streets, and land adjacent thereto known as the Hodskins property, and lands adjacent to the state normal school grounds, and lands on Johnson street and at Braytonville and elsewhere in the said city, and to erect and maintain a city hall, public schools and other buildings for the uses of the city. The said lands shall be used for a city hall, city offices, public schools and other municipal purposes. No appropriation for the said land at the corner of Summer and Morris streets or for the Hodskins property shall be required to be ratified by the legal voters of the city.

Not to be
included in
determining
debt limit.

SECTION 4. No bonds, notes or scrip issued under this act shall be included in determining the limit of debt of the city.

SECTION 5. This act shall take effect upon its passage.

Approved March 25, 1896.

Chap. 198

AN ACT RELATIVE TO HIGHWAYS IN THE CITY OF SOMERVILLE.

Be it enacted, etc., as follows:

Laying out, re-
pairing, etc.,
of highways in
Somerville.

SECTION 1. The city council of the city of Somerville shall, subject to the veto power of the mayor, have exclusive authority and power to lay out, locate anew, discontinue, make specific repairs in, widen and otherwise alter and fix the grade of highways within the limits of said

city and to estimate and assess the damages sustained thereby by any person, but action upon said matters shall be first taken by the board of mayor and aldermen, and any person aggrieved by the decision of the city council in the estimate of damages shall have the same remedies as in the case of town ways.

SECTION 2. This act shall take effect upon its passage.

Approved March 25, 1896.

AN ACT RELATIVE TO PARKS.

Chap.199

Be it enacted, etc., as follows :

SECTION 1. Whoever violates any rule or regulation for the government or use of any public reservation, parkway or boulevard, made under authority of law by any board or officer in charge thereof, shall for each offence be punished by a fine not exceeding twenty dollars, on complaint before any court of competent jurisdiction.

Penalty for violation of rules, etc., relative to parks.

SECTION 2. All acts and parts of acts inconsistent herewith are hereby repealed.

Repeal.

Approved March 25, 1896.

AN ACT TO AUTHORIZE THE TOWN OF LEOMINSTER TO INCUR INDEBTEDNESS BEYOND ITS DEBT LIMIT FOR THE PURPOSE OF INCREASING ITS WATER SUPPLY.

Chap.200

Be it enacted, etc., as follows :

SECTION 1. The town of Leominster may, for the purpose of paying the necessary expenses and liabilities incurred under the provisions of chapter two hundred and forty-nine of the acts of the year eighteen hundred and seventy-one, and for the purpose of increasing the water supply of said town, issue from time to time bonds, notes and scrip to an amount not exceeding two hundred thousand dollars in addition to the amount now authorized by law. Such bonds, notes and scrip shall be payable at periods not exceeding thirty years from the date of issue, shall bear interest payable semi-annually at a rate not exceeding four per cent. per annum, and shall be signed by the town treasurer and countersigned by a majority of the board of selectmen. Said town may sell said securities at public or private sale or pledge the same for money borrowed for the purposes of this act,

May issue bonds, notes and scrip, etc.

but the same shall not be sold for less than the par value thereof.

Not to be considered in determining debt limit.

SECTION 2. The indebtedness incurred under this act shall not be considered or reckoned in determining the limit of indebtedness of the town of Leominster under the provisions of law limiting the indebtedness of towns and cities.

Payment of loan, etc.

SECTION 3. There shall be annually paid to the sinking fund commissioners of the town of Leominster from the net income of the water department of said town, after the payment of the expense of the maintenance of the works and the interest of the water debt, such sum as shall with the accumulations of interest thereon be sufficient to pay at the maturity thereof the water bonds, notes or scrip issued under the authority of this act.

SECTION 4. This act shall take effect upon its passage.

Approved March 25, 1896.

Chap. 201 AN ACT TO AUTHORIZE THE CITY OF NORTH ADAMS TO ISSUE BONDS FOR THE PURPOSE OF COMPLETING ITS RESERVOIR AND FOR SUPPLYING THE INHABITANTS OF THE CITY WITH PURE WATER.

Be it enacted, etc., as follows:

City of North Adams Water Loan, Act of 1896.

SECTION 1. The city of North Adams may, for the purpose of completing its reservoir at the Notch, so-called, and generally for the purpose of supplying the inhabitants of the city with pure water, issue bonds, notes or scrip to an amount not exceeding thirty thousand dollars in addition to all amounts heretofore authorized. Such bonds, notes or scrip shall bear on their face the words, City of North Adams Water Loan, Act of 1896, shall be payable at the expiration of periods not exceeding forty years from the date of issue, shall bear interest payable semi-annually at a rate not exceeding four per cent. per annum, and shall be signed by the treasurer and countersigned by the mayor. The city council may authorize the treasurer to sell such securities at public or private sale, at not less than par, or pledge the same for money borrowed for the purposes of this act, upon such terms and conditions as said city council may deem proper.

Payment of loan.

SECTION 2. The city council shall provide at the time of contracting said loan for the establishment of a sink-

ing fund, and shall annually contribute to such fund a sum sufficient with the accumulations thereof to pay the principal of said loan at maturity. The said sinking fund shall remain inviolate and pledged to the payment of said loan and shall be used for no other purpose. Said city council instead of establishing a sinking fund may provide for the payment of such bonds, notes and scrip in annual payments of such amounts as will in the aggregate extinguish the same within the time prescribed in this act. The income from the water rates not applicable to the payment of other water debts of the city shall be applied to the payment of the principal and interest of such bonds, notes and scrip, and the city shall raise by taxation such sums as shall be necessary in addition thereto to pay the said principal and interest sums as they shall become due.

SECTION 3. This act shall take effect upon its passage.

Approved March 25, 1896.

AN ACT RELATIVE TO THE WATER LOAN OF THE CITY OF WORCESTER. *Chap. 202*
Be it enacted, etc., as follows :

SECTION 1. Section three of chapter three hundred and eighty-four of the acts of the year eighteen hundred and ninety-five is hereby amended by striking out all after the word “ dollars ”, in the ninth line, and inserting in place thereof the words : — subject to the provisions of chapter twenty-nine of the Public Statutes and acts in amendment thereof, — so that the section as amended will read as follows : — *Section 3.* For the purpose of defraying all costs and expenses incident to the acts herein authorized, including the payment for land and water rights taken, the city council shall have authority to borrow from time to time such sums of money, and to issue notes, bonds or certificates therefor, to be denominated on the face thereof, Worcester Water Scrip, as said council shall deem necessary, to an amount not exceeding five hundred thousand dollars, subject to the provisions of chapter twenty-nine of the Public Statutes and acts in amendment thereof.

Payment of
loan.

1896, 394, § 3,
amended.

Worcester
Water Scrip.

P. S. 29, etc., to
apply.

SECTION 2. This act shall take effect upon its passage.

Approved March 25, 1896.

Chap. 203 AN ACT RELATIVE TO FORECLOSURES OF POWER OF SALE MORTGAGES.

Be it enacted, etc., as follows :

P. S. 181, § 42,
amended.

Opening of
foreclosure of
certain mort-
gages.

SECTION 1. Section forty-two of chapter one hundred and eighty-one of the Public Statutes is hereby amended by adding at the end of said section the following words : — but nothing in this section shall apply to a foreclosure under a power of sale mortgage, — so as to read as follows : — *Section 42.* If after the foreclosure of a mortgage the person entitled to the debt recovers judgment for any part of it on the ground that the value of the mortgaged premises at the time of the foreclosure was less than the sum due, such recovery shall open the foreclosure, and the person entitled may redeem the premises, notwithstanding the three years limited in that behalf have expired, provided that his suit for redemption is brought within one year after the recovery of such judgment ; but nothing in this section shall apply to a foreclosure under a power of sale mortgage.

SECTION 2. This act shall take effect upon its passage.

Approved March 25, 1896.

Chap. 204 AN ACT RELATIVE TO THE POWERS OF THE STREET COMMISSIONERS OF THE CITY OF BOSTON.

Be it enacted, etc., as follows :

1896, 449, § 23,
amended.

Street commis-
sioners of Bos-
ton, powers and
duties.

SECTION 1. Section twenty-three of chapter four hundred and forty-nine of the acts of the year eighteen hundred and ninety-five is hereby amended by adding at the end thereof the words : — and said board of street commissioners shall continue to prepare plans of such territory or sections of land in said city as said board may deem necessary, and to perform all other acts which said board of survey was authorized to perform by chapter three hundred and twenty-three of the acts of the year eighteen hundred and ninety-one and acts in amendment thereof or in addition thereto, until plans shall have been made for all such lands or territories, — so that said section as amended will read as follows : — *Section 23.* The board of survey of the city of Boston is hereby abolished, and the powers and duties now exercised by the said board of survey are hereby transferred to the board of

street commissioners, and said board of street commissioners shall continue to prepare plans of such territory or sections of land in said city as said board may deem necessary, and to perform all other acts which said board of survey was authorized to perform by chapter three hundred and twenty-three of the acts of the year eighteen hundred and ninety-one and acts in amendment thereof or in addition thereto, until plans shall have been made for all such lands or territories.

SECTION 2. This act shall take effect upon its passage.

Approved March 25, 1896.

AN ACT TO INCORPORATE THE TEMPLETON STREET RAILWAY COMPANY.

Chap. 205

Be it enacted, etc., as follows :

SECTION 1. Isaac Bourn, Sewell F. Greenwood, John F. Chamberlin, George W. Bourn, Eugene Lincoln, Frederick Greenwood, Charles E. Ingalls and Henry J. Wright, their associates and successors, are hereby made a corporation under the name of the Templeton Street Railway Company, with all the powers and privileges and subject to all the duties, conditions and restrictions set forth in all general laws that now are or hereafter may be in force relating to street railway companies.

Templeton
Street Railway
Company
incorporated.

SECTION 2. Said company may locate, construct, maintain and operate its railway in such manner as may be convenient and necessary, in part upon private land, and upon streets and highways in the towns of Templeton and Gardner, subject to the approval and under the control of the selectmen of the respective towns, as provided by general law. No location on private land shall exceed fifty feet in width.

May locate, construct, etc., its railway in certain towns.

SECTION 3. The proceedings for the fixing of the route and location of said railway for all the route outside of streets and highways, and for the taking of private property and for the determination and payment of damages therefor, shall be similar to those prescribed by general law in relation to railroads, except as hereinafter otherwise provided; but if upon petition of the directors and after notice and hearing thereon, as provided in section twenty-one of chapter one hundred and thirteen of the Public Statutes, the selectmen of any town agree with the directors as to any proposed extension of the

Location, taking of private property, etc.

route of said railway therein which is in part located on private land, and the selectmen shall sign and give to the directors a certificate setting forth such route, and if such certificate with the directors' acceptance thereof in writing is recorded in the registry of deeds for the county of Worcester within thirty days after the date of said certificate; it shall be deemed the true location of the tracks of the company and a taking of the private lands therein indicated.

Capital stock.

SECTION 4. The capital stock of said company shall not exceed fifty thousand dollars, provided that said company may increase its capital stock, subject to the provisions of the general laws relative thereto.

May issue mortgage bonds, etc.

SECTION 5. Said company, in order to meet expenses incurred under this act, may issue bonds not exceeding the amount of its capital stock and payable within a period not exceeding thirty years from the date thereof, secured by a mortgage of its franchise and property, subject to the general laws relative thereto; and in such mortgage may reserve to its directors the right to sell or otherwise in due course of business dispose of property included therein which may become unsuitable for use, provided an equivalent in value is substituted therefor.

May transact business of a common carrier of goods, etc.

SECTION 6. Said company may transact the business of a common carrier of goods and merchandise, and may use its tracks for that purpose, subject to the provisions of chapter seventy-three of the Public Statutes relating to common carriers.

May lease its road, etc.

SECTION 7. Said company may lease its road to, and its road may be leased by, the Gardner Street Railway Company, subject to the general laws relative thereto, upon such terms as may be approved by a majority in interest of the stockholders of both corporations at meetings called for the purpose.

May hold water power, lands, etc.

SECTION 8. Said company may acquire by purchase and hold any water power and appurtenant lands, for the purpose of furnishing motive power for its own use or for the use of any connecting street railway.

Authority to cease under certain conditions.

SECTION 9. The authority herein granted shall cease as to the location in any town, when no portion of the proposed road has been built and put in operation at the end of two years from the passage of this act.

SECTION 10. This act shall take effect upon its passage.

Approved March 25, 1896.

AN ACT TO AUTHORIZE THE CITY OF BOSTON TO PAY A SUM OF MONEY TO THE WIDOW OF DUNCAN McARTHUR. Chap. 206

Be it enacted, etc., as follows:

The city of Boston is hereby authorized to pay to the widow of Duncan McArthur late second assistant assessor of said city the balance of salary to which he would have been entitled had he lived and continued to be such officer until the expiration of the term for which he was appointed. In favor of widow of Duncan McArthur.
Approved March 25, 1896.

AN ACT TO AUTHORIZE THE CITY OF BROCKTON TO MAKE AN ADDITIONAL LOAN FOR SURFACE DRAINAGE. Chap. 207

Be it enacted, etc., as follows:

SECTION 1. In addition to the sums already authorized for the purposes mentioned in chapter three hundred and nine of the acts of the year eighteen hundred and eighty-eight, chapter two hundred and twenty-one of the acts of the year eighteen hundred and eighty-nine and chapter ninety-nine of the acts of the year eighteen hundred and ninety, the city of Brockton is hereby authorized to issue from time to time, outside its debt limit, bonds, notes or scrip to an amount not exceeding fifty thousand dollars. Such bonds, notes or scrip shall be denominated on their face, City of Brockton Drainage Loan, Act of 1896, and shall be payable at the expiration of periods not exceeding thirty years from their date of issue, and shall bear such rate of interest, not exceeding five per cent. per annum, as the city council shall determine. Said city may sell such securities at public or private sale, or pledge the same for not less than the par value for money borrowed for the purposes of this act, upon such terms and conditions as it may deem proper, and shall provide for the payment of said indebtedness by fixed annual proportionate payments. The sinking fund of any loan of the city may be invested therein. City of Brockton Drainage Loan, Act of 1896.

SECTION 2. The provisions of chapter twenty-nine of the Public Statutes and acts in amendment thereof and in addition thereto, except as otherwise herein provided, shall apply to the indebtedness herein authorized and the securities issued hereunder. P. S. 29, etc., to apply.

SECTION 3. This act shall take effect upon its passage.

Approved March 25, 1896.

Chap.208

AN ACT RELATIVE TO SUITS ON PROBATE BONDS.

Be it enacted, etc., as follows :

Suits on probate bonds.

SECTION 1. The wife of a judge of probate may be made a party defendant in any suit upon a bond given to him or his predecessor as such judge.

SECTION 2. This act shall take effect upon its passage.

*Approved March 25, 1896.***Chap.209**

AN ACT RELATIVE TO THE LAYING OUT AND CONSTRUCTION OF CERTAIN HIGHWAYS IN THE CITY OF BOSTON.

Be it enacted, etc., as follows :

1895, 334, § 2, amended.

SECTION 1. Section two of chapter three hundred and thirty-four of the acts of the year eighteen hundred and ninety-five is hereby amended by adding at the end thereof the words :—Interest shall be paid on said bonds, and sinking funds shall be established and maintained therefor, as prescribed in chapter three hundred and twenty-three of the acts of the year eighteen hundred and ninety-one and acts in amendment thereof or in addition thereto for bonds issued under the provisions of said chapter, — so that the said section as amended will read as follows :

Sale of bonds, etc.

— *Section 2.* Said bonds shall bear interest payable semi-annually on the first days of January and July of each year ; shall be registered or with interest coupons attached, be sold and disposed of in such manner and at such times and prices and in such amounts and at such rates of interest, not exceeding four per cent. per annum, and for such terms, not less than thirty nor more than forty years, as said treasurer with the approval of the mayor shall determine, and shall not be reckoned in determining the limit of indebtedness of said city. Interest shall be paid on said bonds, and sinking funds shall be established and maintained therefor, as prescribed in chapter three hundred and twenty-three of the acts of the year eighteen hundred and ninety-one and acts in amendment thereof or in addition thereto for bonds issued under the provisions of said chapter.

Not to be reckoned in determining debt limit, etc.

1895, 334, § 4, amended.

SECTION 2. Section four of said chapter is hereby amended by striking out all of said section after the word “acts”, in the seventh line thereof, so that the said section as amended will read as follows :— *Section 4.* The costs incurred in carrying out any order of the board of

Cost of construction, etc.

street commissioners of said city relating to the laying out or constructing of any public way aforesaid shall be determined in accordance with the acts authorizing such laying out or constructing, and said cost shall be repaid to said city in the manner prescribed in said acts.

SECTION 3. This act shall take effect upon its passage.

Approved March 25, 1896.

AN ACT RELATIVE TO THE APPOINTMENT OF APPRAISERS IN PROCEEDINGS BEFORE PROBATE COURTS.

Chap.210

Be it enacted, etc., as follows :

SECTION 1. In any case before a probate court when it becomes necessary to appraise property said court may, when the property to be appraised is of small value, appoint only one appraiser.

Appraisers in proceedings before probate courts.

SECTION 2. This act shall take effect upon its passage.

Approved March 26, 1896.

AN ACT TO EXTEND THE TIME FOR THE LOCATION OF THE RAILROAD OF THE QUINCY QUARRY COMPANY.

Chap.211

Be it enacted, etc., as follows :

SECTION 1. The time within which the Quincy Quarry Company is required to locate the railroad provided for by chapter one hundred and eighty-nine of the acts of the year eighteen hundred and ninety-five is hereby extended for the term of six months from the twenty-eighth day of March in the present year.

Time extended.

SECTION 2. This act shall take effect upon its passage.

Approved March 26, 1896.

AN ACT TO AUTHORIZE THE TOWN OF STONEHAM TO INCUR INDEBTEDNESS FOR THE PURPOSE OF CONSTRUCTING AND MAINTAINING A SYSTEM OF SEWERAGE.

Chap.212

Be it enacted, etc., as follows :

SECTION 1. The town of Stoneham, for the purpose of defraying the expense of constructing and maintaining a system of main drains and common sewers, is hereby authorized to issue from time to time notes, bonds or scrip to an amount not exceeding one hundred and thirty thousand dollars beyond the limit of indebtedness fixed by law, to be denominated on the face thereof, Stoneham Sewerage Loan, Act of 1896, bearing interest at a rate

Stoneham Sewerage Loan, Act of 1896.

not exceeding four per cent. per annum, payable semi-annually, the principal to be payable at periods of not more than thirty years from the date of issue, and shall be signed by the treasurer and countersigned by the sewer commissioners. Said town may sell said bonds, notes or scrip, or any part thereof, from time to time, at public or private sale; but none of said bonds, notes or scrip shall be issued or sold except in compliance with the vote of the town nor for less than the par value thereof.

Payment of
loan, etc.

SECTION 2. The receipts from payments, assessments and from such annual rates for the use of such sewers as said town may by vote establish, after deducting the current expenses for and incident to the maintenance and operation of said sewers, shall be applied, first to the payment of the interest upon the bonds, notes or scrip issued under the authority of this act not otherwise provided for, and the balance shall be set apart for the payment or redemption of said bonds, notes or scrip, or for the payment of sewer construction and maintenance, as the town shall vote, and shall be used for no other purpose. If the said receipts in any one year, not appropriated for the construction and maintenance of sewers, shall be insufficient to pay the interest on said bonds, notes or scrip, and the principal as it falls due, then in such case the town shall raise forthwith such sum as will meet said requirement.

Apportionment,
etc., of assess-
ments.

SECTION 3. The board of sewer commissioners of said town on the written request, made within three months after notification of assessment, of any owner of an estate assessed by said commissioners for its proportional part of the charge of making and maintaining sewers, shall apportion such assessment into such number of equal parts or instalments, not exceeding five, as said owner shall state in such request; and said board shall certify such apportionment to the assessors of said town, and one of said parts or instalments, with interest from the date of said apportionment at the rate of five per cent. per annum, shall be added by the assessors to the annual tax on such estates for each year next ensuing until all of said parts have been so added and paid: *provided*, that nothing herein contained shall be construed to prevent the payment at any time in one payment of any balance of said assessments then remaining unpaid, notwithstanding such prior apportionment. Such assessments shall

Proviso.

constitute a lien upon the real estate assessed and shall continue for two years after they are laid, or, if the assessment is divided into proportional parts, until the expiration of two years from the time when the last instalment is added by the assessors and remitted to the collector, and shall be collected in the same manner as taxes upon real estate, or in an action of contract in the name of the city or town.

Assessments to constitute a lien upon real estate.

SECTION 4. This act shall take effect upon its passage ; but no expenditure shall be made and no liability incurred under the same unless this act shall first be accepted by vote of two thirds of the legal voters of said town present and voting thereon at a legal meeting called for that purpose within one year from the date of its passage.

When to take effect.

Approved March 28, 1896.

AN ACT MAKING AN APPROPRIATION FOR SALARIES AND EXPENSES
OF THE MASSACHUSETTS HIGHWAY COMMISSION.

Chap. 213

Be it enacted, etc., as follows :

SECTION 1. A sum not exceeding twenty-five thousand dollars is hereby appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the payment of salaries and expenses of the Massachusetts highway commission, pending the action of the legislature on the proposition to continue the building of state highways and the issuing of a loan therefor, as provided for by chapter twelve of the resolves of the present year.

Massachusetts highway commission.

SECTION 2. This act shall take effect upon its passage.

Approved March 28, 1896.

AN ACT TO AUTHORIZE THE CITY OF FALL RIVER TO LAY OUT AND
CONSTRUCT A STREET OR WAY THROUGH THE FRANCIS BURIAL
GROUND.

Chap. 214

Be it enacted, etc., as follows :

SECTION 1. The city of Fall River is hereby authorized to lay out and construct the street or way known as Palmer street, in, upon and through the private burial ground known as the Francis burial ground, situated near the intersection of said Palmer street, as proposed to be laid out with Plymouth avenue : *provided*, that no burial lot in which are buried the remains of the dead shall be entered upon under the provisions of this act until such

May lay out street through the Francis burial ground.

Proviso.

remains shall have been removed to some other cemetery and duly interred therein, with all headstones as they now exist transferred so as to mark the appropriate graves, without expense to the owner of or persons interested in such burial lot.

Damages.

SECTION 2. Said city shall be liable to the owners of and all parties interested in said burial lot, to pay all damages sustained in their property by the taking of any lands under the provisions of the preceding section. If said owners or any party interested as aforesaid cannot agree with the city upon the amount of said damages such owners or party may have said damages assessed in the same manner as is provided in case of taking land for highways: *provided*, that any application for a jury to assess said damages shall be made within one year after said damages are sustained.

Proviso.

SECTION 3. This act shall take effect upon its passage.

Approved March 28, 1896.

Chap. 215 AN ACT TO AUTHORIZE THE PARK COMMISSIONERS OF WALTHAM TO TAKE CERTAIN LANDS FOR A WATER PARK.

Be it enacted, etc., as follows:

May take certain lands for park purposes.

SECTION 1. The park commissioners of the city of Waltham, for the purpose of establishing a water park, are hereby authorized to take by purchase or otherwise any or all of the land on the banks of the Charles river within said city which is now or may hereafter be covered with water. Such taking shall impair no rights of flowage belonging to any private corporation, but the city may from time to time, for the purpose of abolishing the same, purchase from any private individual or corporation any flowage rights over lands which may be taken by virtue of this act. The provisions of chapter one hundred and fifty-four of the acts of the year eighteen hundred and eighty-two and all acts in amendment thereof or in addition thereto shall apply to the taking of lands under the provisions of this act.

1882, 154, etc., to apply.

SECTION 2. This act shall take effect upon its passage.

Approved March 28, 1896.

AN ACT RELATIVE TO THE LEGACY OF THE LATE GEORGE L. RANDIDGE. *Chap.216*

Be it enacted, etc., as follows :

SECTION 1. The city of Boston is hereby authorized to receive the legacy of fifty thousand dollars left by the late George L. Randidge to said city as a trust fund to be designated the Randidge Trust Fund, the income thereof to be applied forever under the sole direction of the mayor of said city for the time being for the sole purpose of affording to the children of the poor of said city of all religious denominations the pleasure of one or more excursions during the months of July and August in each year, and is further authorized to expend the income of said legacy in accordance with the terms thereof, as hereinbefore set forth.

Randidge Trust Fund.

SECTION 2. This act shall take effect upon its passage.

Approved March 28, 1896.

AN ACT TO INCORPORATE THE WESTON WATER COMPANY.

Chap.217

Be it enacted, etc., as follows :

SECTION 1. Charles J. Paine, Albert H. Hews, Charles H. Fiske, Fred W. Jackson and Horace S. Sears, their associates and successors, are hereby made a corporation under the name of the Weston Water Company, for the purpose of supplying the town of Weston and its inhabitants with water for the extinguishment of fires and for domestic, manufacturing and other purposes; with all the powers and privileges and subject to all the duties, restrictions and liabilities set forth in all general laws which now are or may hereafter be in force applicable to such corporations.

Weston Water Company incorporated.

SECTION 2. Said corporation, for the purposes aforesaid, may lease, take, acquire, by purchase or otherwise, and hold the waters of any stream, well or spring within the limits of the town of Weston, or any other waters at any point in said Weston, and all the water rights connected therewith, and may obtain and take water by means of bored, driven, artesian or other wells, on any land within the limits of said town, and hold and convey said water through said town; and may also take and hold, by purchase or otherwise, all lands, rights of way and easements necessary for holding and preserving such

May take certain waters, lands, etc.

May erect buildings, lay down pipes, etc.

Provisos.

Description of lands, etc., to be recorded.

Damages.

water and for conveying the same to any part of said town; and may erect on land thus taken or held proper dams, buildings, fixtures, reservoirs and other structures, and may make excavations, procure and operate machinery, and provide such other means and appliances as may be necessary for the establishment and maintenance of complete and effective water works; and may construct and lay down conduits, pipes and other works, under or over any lands, water courses, railroads or public or private ways, and along any such ways in such manner as not unnecessarily to obstruct the same; and for the purpose of constructing, maintaining and repairing such conduits, pipes and other works, and for all proper purposes of this act, said corporation may dig up any such lands and ways: *provided, however*, that said corporation shall not enter upon and dig up any public ways except with the approval of the board of selectmen of the town in which such ways are situated, after a public hearing by said board, of which at least ten days' notice shall be given by publishing an attested copy of said notice in a newspaper published in said town, if any, and by posting an attested copy of said notice in at least five public places in said town; *provided, further, however*, that no hearing shall be necessary in cases where said ways are to be entered upon and dug up by said corporation for the purpose of constructing extensions to its plant and maintaining and repairing such conduits, pipes and other works, *provided, further, however*, that said corporation shall not have the right to take or interfere in any way with the water sources or water supplies already in use or that may hereafter be used by any corporation or individual in said town in supplying water to inhabitants thereof, for domestic, manufacturing or other uses.

SECTION 3. Said corporation shall, within sixty days after the taking of any lands, rights of way, water rights, water sources or easements as aforesaid, otherwise than by purchase, file and cause to be recorded in the registry of deeds for the county and district in which the same are situated a description thereof sufficiently accurate for identification, with a statement of the purpose for which the same were taken, signed by the president of the corporation.

SECTION 4. Said corporation shall pay all damages sustained by any person in property by the taking of any

land, right of way, water, water source, water right or easement, or by any other thing done by said corporation under the authority of this act. Any person sustaining damages as aforesaid under this act, who fails to agree with said corporation as to the amount of damages sustained, may have the damages assessed and determined in the manner provided by law when land is taken for the laying out of highways, on application at any time within the period of one year from the taking of such land or other property or the doing of other injury under the authority of this act; but no such application shall be made after the expiration of one year. No application shall be made for the assessment of damages for the taking of water or water rights, or for any injury thereto, until the water is actually withdrawn or diverted by said corporation under the authority of this act.

Damages.

SECTION 5. Said corporation may distribute water through the town of Weston, may regulate the use of said water and fix and collect the rates to be paid for the use of the same; and may make such contracts with said town, or with any fire district that may hereafter be established therein, or with any individual or corporation, to supply water for the extinguishment of fire or for any purposes, as may be agreed upon by said town or such fire district, individual or corporation, and the said corporation, and may establish public fountains and hydrants and relocate and discontinue the same.

Distribution of water, etc.

SECTION 6. Said corporation may, for the purposes set forth in this act, hold real estate not exceeding in value twenty-five thousand dollars, and the whole capital stock of said corporation shall not exceed fifty thousand dollars, to be divided into shares of one hundred dollars each.

Real estate, capital stock.

SECTION 7. Immediately after the payment of the capital of said company a certificate shall be signed and sworn to by its president, treasurer and at least a majority of the directors, stating the fact of such payment, the manner in which the same has been paid in, and the manner in which such capital has been invested, or voted by the corporation to be invested, at the time of making the certificate. Such certificate shall be approved by the commissioner of corporations and shall be filed in the office of the secretary of the Commonwealth. The conveyance to the corporation of property, real or personal,

Certificate of payment of capital to be filed etc.

at a fair valuation, shall be deemed a sufficient paying in of the capital stock to the extent of such value, if a statement is included in the certificate, made, signed and sworn to by its president, treasurer and a majority of its directors, giving a description of such property and the value at which it has been taken in payment, in such detail as the commissioner of corporations shall require or approve, and endorsed with his certificate that he is satisfied that said valuation is fair and reasonable.

May issue mortgage bonds, etc.

SECTION 8. Said corporation may issue bonds and secure the same by a mortgage on its franchise and other property to an amount not exceeding its capital stock actually paid in. The proceeds of all bonds so issued shall only be expended in the extension of the works of the company and for the payment of expenditures actually made in the construction of the works, over and above the amount of the capital stock actually paid in.

Issue of stock and bonds to be approved by commissioner of corporations.

SECTION 9. The capital stock and bonds hereinbefore authorized shall be issued only in such amounts as may from time to time, upon investigation by the commissioner of corporations, be deemed by him to be reasonably requisite for the purposes for which such issue of stock or bonds has been authorized. His decision approving such issue shall specify the respective amounts of stock and bonds authorized to be issued and the purposes to which the proceeds thereof are to be applied. A certificate setting forth his decision shall be filed in the office of the secretary of the Commonwealth before the certificates of stock or the bonds are issued, and the proceeds of such stock or bonds shall not be applied to any purpose not specified in such decision.

Penalty for corruption of water, etc.

SECTION 10. Whoever wilfully or wantonly corrupts, pollutes or diverts any of the waters taken or held under this act, or injures any structure, work or other property owned, held or used by said corporation under the authority and for the purposes of this act, shall forfeit and pay to said corporation three times the amount of damages assessed therefor, to be recovered in an action of tort; and upon conviction of any of the above wilful or wanton acts shall be punished by a fine not exceeding three hundred dollars or by imprisonment not exceeding one year.

Town may take franchise, property, etc., at any time.

SECTION 11. Said town of Weston shall have the right at any time to take, by purchase or otherwise, the

franchise, corporate property and all the rights and privileges of said corporation, on payment to said corporation of the actual cost of its franchise, works and property of all kinds held under the provisions of this act, including in such cost interest on each expenditure from its date to the date of said purchase or taking, as herein provided, at the rate of five per cent. per annum. If the cost of maintaining and operating the works of said corporation exceeds in any year the income derived from said works by said corporation for that year, then such excess shall be added to the total cost; and if the income derived from said works by said corporation exceeds in any year the cost of maintaining and operating said works for that year, then such excess shall be deducted from the total cost. An itemized statement of the receipts and expenditures of said corporation shall be annually submitted to the selectmen of the town of Weston, and by said selectmen to the citizens of said town. If said corporation has incurred indebtedness the amount of such indebtedness outstanding at the time of such taking shall be assumed by said town and shall be deducted from the amount required to be paid by said town to said corporation under the foregoing provisions of this section. This authority to purchase such franchise and property is granted on condition that the purchase is assented to by said town by a two thirds vote of the voters of said town present and voting thereon at a meeting legally called for that purpose.

Statement of receipts and expenditures to be submitted annually.

Purchase to be assented to by a two thirds vote.

SECTION 12. Said town may, for the purpose of paying the cost of said corporate property and the necessary expenses and liabilities incurred under the provisions of this act, issue from time to time bonds, notes or scrip, to an amount not exceeding in the aggregate one hundred thousand dollars; such bonds, notes and scrip shall bear on their face the words, Weston Water Loan; shall be payable at the expiration of periods not exceeding thirty years from the date of issue; shall bear interest payable semi-annually at a rate not exceeding six per cent. per annum, and shall be signed by the treasurer of the town and countersigned by the water commissioners hereinafter provided for. Said town may sell such securities at public or private sale, or pledge the same for money borrowed for the purposes of this act, upon such terms and conditions as it may deem proper. Said town shall provide

Weston Water Loan.

Sinking fund. at the time of contracting said loan for the establishment of a sinking fund, and shall annually contribute to such fund a sum sufficient with the accumulations thereof to pay the principal of said loan at maturity. Said sinking fund shall remain inviolate and pledged to the payment of said loan and shall be used for no other purpose.

May provide for annual payments on loan. SECTION 13. Said town instead of establishing a sinking fund may at the time of authorizing said loan provide for the payment thereof in annual payments of such amounts as will in the aggregate extinguish the same within the time prescribed in this act; and when such vote has been passed the amount required thereby shall without further vote be assessed by the assessors of said town in each year thereafter until the debt incurred by said loan shall be extinguished, in the same manner as other taxes are assessed under the provisions of section thirty-four of chapter eleven of the Public Statutes.

Payment of expenses, etc. SECTION 14. Said town shall raise annually by taxation a sum which with the income derived from the water rates will be sufficient to pay the current annual expenses of operating its water works and the interest as it accrues on the bonds, notes and scrip issued as aforesaid by said town, and to make such contributions to the sinking fund and payments on the principal as may be required under the provisions of this act.

Water commissioners, election, terms, etc. SECTION 15. Said town shall, after its purchase of said corporate property as provided in this act, at a legal meeting called for the purpose elect by ballot three persons to hold office, one until the expiration of three years, one until the expiration of two years and one until the expiration of one year from the next succeeding annual town meeting, to constitute a board of water commissioners; and at each annual town meeting thereafter one such commissioner shall be elected by ballot for the term of three years. All the authority granted to said town by this act and not otherwise specially provided for shall be vested in said board of water commissioners, who shall be subject however to such instructions, rules and regulations as said town may impose by its vote. Said commissioners shall be trustees of the sinking fund herein provided for and a majority of the commissioners shall constitute a quorum for the transaction of business relative both to the water works and the sinking fund. Any vacancy occurring in said board from any cause may be

To be trustees of sinking fund.

Vacancy.

filled for the remainder of the unexpired term by said town at any legal town meeting called for the purpose.

SECTION 16. Upon application of the owner of any land, water or water rights taken under this act the county commissioners for the county in which such land, water or water rights are situated shall require said corporation to give satisfactory security for the payment of all damages and costs which may be awarded such owner for the land or other property so taken; but previous to requiring such security said county commissioners shall, if application therefor is made by either party, make an estimate of the damages which may result from such taking; and said county commissioners shall in like manner require further security if at any time the security before required appears to them to have become insufficient; and all the right or authority of said corporation to enter upon or use such land or other property, except for the purpose of making surveys, shall be suspended until it gives the security required.

Security for payment of damages, etc., required in certain cases.

SECTION 17. This act shall take effect upon its passage, but shall become void unless work under this act is commenced within three years from the date of its passage.

When to take effect.

Approved March 28, 1896.

AN ACT TO AUTHORIZE THE APPOINTMENT OF AN ADDITIONAL ASSISTANT CLERK OF COURTS FOR THE COUNTY OF MIDDLESEX.

Chap. 218

Be it enacted, etc., as follows:

SECTION 1. The justices of the supreme judicial court, or a majority of them, may appoint a third assistant clerk of courts for the county of Middlesex, who shall be subject to the provisions of law applicable to assistant clerks of courts and who shall receive an annual salary of two thousand dollars, to be paid by said county.

May appoint third assistant clerk.

SECTION 2. This act shall take effect upon its passage.

Approved March 28, 1896.

AN ACT RELATING TO CLERICAL ASSISTANCE IN THE OFFICE OF THE REGISTER OF PROBATE AND INSOLVENCY FOR THE COUNTY OF HAMPDEN.

Chap. 219

Be it enacted, etc., as follows:

SECTION 1. The register of probate and insolvency for the county of Hampden shall be allowed, in addition to the amount now allowed by law, a sum not exceeding

Clerical assistance.

six hundred dollars a year, from and after the first day of February in the year eighteen hundred and ninety-six, for clerical assistance actually performed, to be paid from the treasury of the Commonwealth upon the official certificate of said register, countersigned by the judge of probate and insolvency for said county.

SECTION 2. This act shall take effect upon its passage.

Approved March 28, 1896.

Chap.220

AN ACT RELATING TO TRIALS IN INFERIOR COURTS.

Be it enacted, etc., as follows :

1894, 173, § 1,
amended.

Trial before
justices and
special justices
sitting together.

SECTION 1. Section one of chapter one hundred and seventy-three of the acts of the year eighteen hundred and ninety-four is hereby amended by striking out in the third and fourth lines, the words "an agreed statement of all facts and", so that said section as amended shall read as follows:— *Section 1.* The parties to a civil action before a district, police or municipal court, except the municipal court of the city of Boston, may, upon filing a written waiver of all parties to all right of appeal, demand a trial before the justice and special justices sitting together, which shall be granted; and there shall be no right of appeal from the judgment of the majority of the three justices so sitting together.

SECTION 2. This act shall take effect upon its passage.

Approved March 28, 1896.

Chap.221

AN ACT TO PROVIDE FOR ADDITIONAL COPIES OF THE REPORT OF THE HARBOR AND LAND COMMISSIONERS.

Be it enacted, etc., as follows :

Report of har-
bor and land
commissioners.

SECTION 1. There shall be printed for the use of the harbor and land commissioners five hundred copies of their report, in addition to the number now authorized by law.

SECTION 2. This act shall take effect upon its passage.

Approved March 28, 1896.

Chap.222

AN ACT TO AUTHORIZE THE ERECTION OF A PUBLIC LIBRARY BUILDING ON COMMON LAND IN THE TOWN OF STURBRIDGE.

Be it enacted, etc., as follows :

May erect a
library building
on common
land.

SECTION 1. The town of Sturbridge may, by vote of a majority of the voters thereof present and voting thereon

in a town meeting called for the purpose, authorize the trustees of the Joshua Hyde Public Library to erect a library building on common land in said town; and the provisions of section sixteen of chapter fifty-four of the Public Statutes shall not apply to such building as may be erected pursuant to such vote.

SECTION 2. This act shall take effect upon its passage.

Approved March 28, 1896.

AN ACT TO PROVIDE FOR PRINTING THE ANNUAL REPORT OF THE
METROPOLITAN SEWERAGE COMMISSIONERS.

Chap. 223

Be it enacted, etc., as follows:

SECTION 1. There shall be printed annually three thousand copies of the report of the board of metropolitan sewerage commissioners, one half of which shall be bound in cloth, and fifteen hundred copies shall be for the use of said commissioners.

Report of metropolitan sewerage commissioners.

SECTION 2. So much of chapter three hundred and ninety-three of the acts of the year eighteen hundred and ninety-four as is inconsistent with this act is hereby repealed.

Repeal.

SECTION 3. This act shall take effect upon its passage.

Approved March 28, 1896.

AN ACT TO AUTHORIZE THE FALL RIVER AND PROVIDENCE STEAM-
BOAT COMPANY TO DISPOSE OF ITS PROPERTY AND EFFECTS.

Chap. 224

Be it enacted, etc., as follows:

SECTION 1. The Fall River and Providence Steamboat Company, a corporation organized and existing under the laws of this Commonwealth, is hereby authorized and empowered, by the vote of a majority in interest of its stockholders, to sell, transfer and convey all its property and effects to the Providence, Fall River and Newport Steamboat Company, for not less than one hundred and twenty thousand dollars in cash and a further sum equal to the total outstanding debts and liabilities of said first named corporation existing at the time of such sale, transfer and conveyance.

May transfer property to Providence, Fall River and Newport Steamboat Company, etc.

SECTION 2. Said Fall River and Providence Steamboat Company and all its said property and effects shall remain liable for all the debts and liabilities of said company heretofore or hereafter contracted, notwithstanding

To be liable for debts, etc.

the sale, transfer and conveyance of its property and effects as aforesaid.

SECTION 3. This act shall take effect upon its passage.

Approved March 28, 1896.

Chap.225 AN ACT RELATIVE TO THE EVIDENCE OF REGULARITY OF THE APPOINTMENT OF RAILROAD AND STEAMBOAT POLICE.

Be it enacted, etc., as follows :

Evidence of appointment of railroad or steamboat police.

SECTION 1. A duly attested copy of the record of the appointment of a railroad or steamboat police officer, which has been filed with the clerk of a city or town or board of police commissioners in accordance with the provisions of section fourteen of chapter one hundred and three of the Public Statutes, shall be conclusive of the regularity of such officer's appointment.

Evidence of being lawfully on duty.

SECTION 2. The presence of any such officer on the cars, steamboats or premises of the corporation upon whose petition he was appointed, wearing a badge in accordance with section sixteen of chapter one hundred and three of the Public Statutes, shall be prima facie evidence that he is lawfully on duty.

SECTION 3. This act shall take effect upon its passage.

Approved March 28, 1896.

Chap.226 AN ACT TO GRANT ADDITIONAL POWERS TO THE GURNEY HEATER MANUFACTURING COMPANY.

Be it enacted, etc., as follows :

Additional powers, etc., granted.

SECTION 1. The Gurney Heater Manufacturing Company, in addition to the powers and privileges granted by its charter, is hereby authorized to manufacture and deal in furnaces, both hot air and combination, steam boilers, radiators and piping; with all the powers and privileges and subject to all the duties, liabilities and restrictions which now are or hereafter may be in force relating to such corporations.

SECTION 2. This act shall take effect upon its passage.

Approved March 28, 1896.

Chap.227 AN ACT TO AUTHORIZE THE CITY OF NEWBURYPORT TO INCUR ADDITIONAL INDEBTEDNESS FOR SEWERAGE PURPOSES.

Be it enacted, etc., as follows :

1899, 223, § 9, amended.

Section nine of chapter two hundred and thirty-three of the acts of the year eighteen hundred and eighty-nine

is hereby amended by inserting in the fifth line, after the word "hundred", the words:—and ten,— so that said section as amended will read as follows:— *Section 9.* The said city may, for the purposes of paying the necessary expenses and liabilities incurred under the provisions of this act, issue from time to time bonds, notes or scrip to an amount not exceeding in the aggregate one hundred and ten thousand dollars beyond the limit of indebtedness fixed by law for said city. Such bonds, notes or scrip shall bear on the face thereof the words, Newburyport Sewer Loan, Act of 1889, shall be payable at the expiration of periods not exceeding thirty years from the date of issue and shall bear interest payable semi-annually at a rate not exceeding six per cent. per annum; but the provisions of chapter twenty-nine of the Public Statutes and of chapter one hundred and twenty-nine of the acts of the year eighteen hundred and eighty-four shall otherwise apply to the issue of such bonds, notes or scrip and to the establishment of a sinking fund for the payment thereof at maturity.

Newburyport
Sewer Loan,
Act of 1889.

Approved March 28, 1896.

AN ACT TO ABOLISH DAYS OF GRACE ON COMMERCIAL PAPER, EXCEPT SIGHT DRAFTS.

Chap. 228

Be it enacted, etc., as follows:

SECTION 1. On all notes, drafts, except sight drafts, checks, acceptances, bills of exchange, bonds or other evidences of indebtedness made, drawn or accepted by any person or corporation after this act shall take effect, and in which there is no expressed stipulation to the contrary, no grace, according to the custom of merchants, shall be allowed, but the same shall be due and payable as therein expressed, without grace.

Days of grace
abolished.

SECTION 2. All acts and parts of acts inconsistent with this act are hereby repealed.

Repeal.

SECTION 3. This act shall take effect on the first day of January in the year eighteen hundred and ninety-seven.

To take effect
Jan. 1, 1907.

Approved March 28, 1896.

AN ACT RELATIVE TO BLACK BASS FISHING.

Chap. 229

Be it enacted, etc., as follows:

Whoever takes from the waters of this Commonwealth a black bass less than eight inches in length, or sells or

Taking, etc., of
black bass
restricted.

offers to sell or has in his possession with intent to sell any such black bass, shall forfeit ten dollars for each fish so sold or offered or exposed for sale. In any prosecution under this act the possession of any black bass less than eight inches in length shall be *prima facie* evidence of a violation thereof.

Approved March 28, 1896.

Chap. 230 AN ACT RELATIVE TO THE REGISTRATION OF PHYSICIANS AND SURGEONS.

Be it enacted, etc., as follows :

Applications for registration as physicians or surgeons.

SECTION 1. All applications for registration as physicians or surgeons under the provisions of chapter four hundred and fifty-eight of the acts of the year eighteen hundred and ninety-four shall be made upon blanks to be furnished by the board of registration in medicine and shall be signed and sworn to by the applicants.

Certificates of registration to be issued to certain applicants.

SECTION 2. Said board shall examine all applicants, and only such as are found qualified and shall give satisfactory proof of being twenty-one years of age and of good moral character shall receive certificates of registration as provided in said act: *provided, however*, that said board shall register without examination any applicant whom it may find to be of good moral character, of more than sixty years of age, and a graduate of a legally chartered medical college having power to confer degrees in medicine, and who has been a practitioner of medicine in this Commonwealth for a period of ten years next prior to the passage of this act, and who otherwise complies with the provisions of this act.

Proviso.

Certain certificates may be revoked.

SECTION 3. Said board may by a unanimous vote, after a hearing, revoke any certificate issued by it to, and cancel the registration of, any person convicted of any crime in the practice of his professional business or convicted of a felony.

Penalty.

SECTION 4. Any person who shall practice medicine or surgery under a false or assumed name, or under a name other than that under which he is registered, or who shall personate another practitioner of a like or different name, shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars for each offence, or by imprisonment in jail three months, or by both.

Approved April 1, 1896.

AN ACT TO REQUIRE SAVINGS BANKS AND INSTITUTIONS FOR SAVINGS TO MAKE EXTRA DIVIDENDS IN CERTAIN CASES.

Chap.231

Be it enacted, etc., as follows :

Chapter three hundred and seventeen of the acts of the year eighteen hundred and ninety-four is hereby amended by striking out the whole of section twenty-eight, and inserting in place thereof the following : —

1894, § 17, § 28, amended.

Section 28. Once in every term of three years, at the time provided by the by-laws for making ordinary dividends, if, after such ordinary dividend is made, the net profits accumulated, including the amount of the guaranty fund, amount to eleven per cent. of the deposits which have remained in such corporation for one year then next preceding, such net profits in excess of ten per cent. shall be divided among the depositors whose deposits have remained therein for one year at least then next preceding, in proportion to the amount of dividends which have been declared on their deposits during the three years next preceding.

Extra dividends to be paid in certain cases.

Approved April 1, 1896.

AN ACT TO UNITE THE CITY OF SPRINGFIELD AND THE TOWN OF WEST SPRINGFIELD.

Chap.232

Be it enacted, etc., as follows :

SECTION 1. All the territory now comprised within the limits of the town of West Springfield in the county of Hampden, with the inhabitants and estates therein, is hereby annexed to and made a part of the city of Springfield in said county : *provided, however,* that until constitutionally and legally changed said territory, for the purpose of electing members of congress, state senators and representatives, shall continue to belong to the respective districts of which it may be legally a part when this act takes full effect. All the duties now required by law to be performed by the selectmen and town clerk of the town of West Springfield, or either of them, pertaining to the election of members of congress, state senators and representatives, shall in like manner devolve upon and be performed by the mayor and board of aldermen and city clerk of the city of Springfield, respectively, as provided by law for such elections in said city. Ward and precinct officers of the ward created out of said territory, as hereinafter provided, shall be appointed, have like

Town of West Springfield annexed to Springfield.

Proviso.

Election of members of congress, state senators and representatives.

Duties of officers pertaining to elections.

duties and perform them in like manner as similar officers of other wards and precincts in said city. The precincts now established in said town shall remain the same until duly changed by provisions of law.

Public property of West Springfield to be vested in Springfield, etc.

SECTION 2. All the public property of the said town of West Springfield shall be vested in and is hereby declared to be the property of the city of Springfield; and said city of Springfield shall succeed to all the rights, claims, causes of action, rights to uncollected taxes, liens, uses, trusts, duties, privileges and immunities of said town of West Springfield. All power conferred upon the selectmen by the provisions of section three of chapter forty-four of the acts of the year eighteen hundred and seventy-eight shall be exercised by the board of mayor and aldermen of the city of Springfield, and the provisions of said act shall continue in force. The passage of this act shall not be construed to change the liability of said county in regard to the care and maintenance of the Connecticut river bridges connecting said town and said city, as now fixed by law. The town treasurer of the town of West Springfield shall, on or before the second Monday of January in the year eighteen hundred and ninety-seven, under the direction of the selectmen of said town of West Springfield (who shall, for this purpose and for all other purposes necessary to carry into full effect the provisions of this act, continue to hold their offices), transfer, deliver, pay over and account for to the city treasurer of the city of Springfield, all books, moneys and other property in his possession as town treasurer of said town of West Springfield when this act shall take effect; and the city of Springfield shall become liable for and subject to all the debts, obligations, duties, responsibilities and liabilities of said town of West Springfield: *provided*, that if this act is accepted no debt shall be contracted nor expenses made except for the ordinary and usual expenditures in keeping with its growth until this act takes full effect. All actions and causes of action which may be pending or which may have accrued at the time this act shall take effect, in behalf of or against the town of West Springfield, shall survive and may be prosecuted to final judgment and execution in behalf of or against the city of Springfield.

Treasurer of West Springfield to deliver books, etc., to treasurer of Springfield.

Springfield liable for debts, etc., of West Springfield.

Proviso.

Territory to constitute ward nine.

SECTION 3. Said territory shall constitute a ward of the city of Springfield, to be called ward nine, and shall

so remain until the alteration of the ward limits of said city provided by law; and the ward so established shall be entitled to such municipal, ward and precinct officers as are provided for other wards and precincts of said city.

SECTION 4. Trustees shall continue to manage all school and poor funds of said town and shall disburse the income thereof for the benefit of the territory embraced within its limits, according to the terms of their respective trusts. The town library shall remain in said territory and may be made a branch of the city library.

School and poor funds.

Town library.

SECTION 5. The territory so transferred and the inhabitants thereof and their estates shall be liable for all taxes already assessed and not paid, and also all town, county and state taxes that may be hereafter assessed on them by said town of West Springfield and before this act shall take effect, in the same manner as they would have been liable if this act had not been passed; and the town treasurer and collector of said town of West Springfield are hereby authorized to collect the same in the manner provided by law, after this act shall take effect.

Liability for taxes, etc.

SECTION 6. If this act shall be accepted as hereinafter provided said territory shall, after the fifth day of November in the year eighteen hundred and ninety-six, constitute a ward of the city of Springfield, to be called ward nine, for all the purposes mentioned in this section and the following section of this act. The legal voters of said ward nine shall meet in their several voting precincts on the same day in said year and in the same manner as voters of other wards of said city of Springfield who meet for a like purpose, and bring in their ballots for the several municipal officers for the ensuing year for whom they are entitled to vote by virtue of the provisions of this act. Seven days at least before said election, all laws to the contrary notwithstanding, lists of voters shall be made and posted, and the meetings shall be called, notified, advertised and all other things as far as may be shall be done as provided by law for other wards of said city in municipal elections. The legal voters of said town shall have the same right to vote in said election as if said territory had been a part of said city for more than six months preceding said election. For said purposes the precinct and other officers of said town shall continue to act until others are appointed.

To take part in municipal election following acceptance.

Board of aldermen, common council, etc.

SECTION 7. After the present municipal year the board of aldermen of said city shall consist of nine members. The common council of said city shall consist of twenty members. The number of the school committee shall be increased by one member. All said additional members are to be elected from said ward nine.

Obligation of contracts, etc., not impaired.

SECTION 8. Nothing contained in this act shall impair the obligation of contracts. All franchises and vested rights granted by the town of West Springfield shall remain in full force and operative as though granted by and for the city of Springfield.

Police officers, firemen, etc.

SECTION 9. The several police officers, fire engineers and firemen who shall be serving the said town when this act shall take effect shall thereafter continue in the discharge of their respective duties as officers and serve said city until others are appointed in their places.

Not to take full effect until accepted by voters of Springfield and West Springfield.

SECTION 10. This act shall not take full effect until it has been accepted by a majority of the legal voters of said city of Springfield present and voting by ballot at meetings which shall be held in the several precincts of said city, and has also been accepted by a majority of the legal voters of the town of West Springfield present and voting thereon at meetings which shall be held in the several precincts of said town. Said ballot shall be taken and the polls shall be open for said voting during the same time and at the same places and in connection with the balloting for state officers at the annual election on the first Tuesday of November in the year eighteen hundred and ninety-six. Said ballot shall be "Yes", or "No", in answer to the question, "Shall an act passed by the legislature of the Commonwealth of Massachusetts in the year eighteen hundred and ninety-six, entitled 'An Act to unite the city of Springfield and the town of West Springfield', be accepted?" Said question shall be placed on the ballots furnished by the state, and in voting a cross shall be put opposite the word "Yes", or "No", in like manner as in voting for state officers. The ballots given in shall be assorted, counted and declared in the several precinct meetings of said city and said town in open meeting, and records made thereof. The clerk of each precinct in the city of Springfield shall make return of all ballots given in his precinct, and the number of ballots in favor of the acceptance of this act and the number of ballots against said acceptance, to the board of aldermen

Ballot to be taken at annual state election, 1896.

Form of ballot.

Result of balloting to be recorded and returned.

of said city. Said returns shall be made within forty-eight hours of the close of the polls. It shall be the duty of the city clerk of said city to certify as soon as may be the ballot cast in said city, and the number of ballots cast in favor of the acceptance of this act and the number of ballots cast against said acceptance in said city, to the secretary of the Commonwealth. The clerk in each precinct in the town of West Springfield shall make return of all ballots given in his precinct, and the number of ballots in favor of the acceptance of this act and the number of ballots against said acceptance, to the selectmen of said town. Said returns shall be made within forty-eight hours of the close of the polls. The selectmen and town clerk of said town shall, as soon as may be, make a like return of the ballots cast in said town, and the number of ballots cast in favor of acceptance of this act and the number of ballots cast against said acceptance in said town, to the secretary of the Commonwealth. The secretary of the Commonwealth shall keep a record of the returns, and if it shall appear that a majority of the votes cast in the city of Springfield and a majority of the votes cast in said town, respectively, are in favor of the acceptance of this act, the said secretary shall immediately issue his certificate declaring this act to have been duly accepted.

Returns to be made to secretary of the Commonwealth.

Secretary to issue certificate of acceptance.

SECTION 11. So much of this act as authorizes and directs the submission of the question of acceptance of this act to the legal voters of said city and said town, respectively, provided for in the tenth section of this act, shall take effect upon its passage.

Portion of act to take effect upon its passage.

SECTION 12. The present special county commissioner for the county of Hampden, residing in said West Springfield, shall continue to exercise the duties of his office until the expiration of the term of office to which he is elected, the same as if this act had not been passed.

Special county commissioner.

SECTION 13. If this act shall be accepted as herein provided it shall take effect on the fifth day of November in the year eighteen hundred and ninety-six, so far as to authorize, legalize and carry into effect the act and provisions of the sixth and seventh sections of this act; but for all other purposes, except as mentioned in section eleven of this act, it shall take effect on the first Monday of January in the year eighteen hundred and ninety-seven.

When to take effect.

Registration
and voting lists,
etc.

SECTION 14. The board of registration of said city shall make use of the registration and voting lists of said town used in voting on the acceptance of this act; and said registration and voting lists, with such additions of qualified voters as may be made, shall be the registration and voting lists of said ward nine under sections six and seven. All persons and officers of said town having the custody of books, papers, records, registration and voting lists, or other things necessary to carry out the aforesaid provisions and not hereinbefore provided for, shall deliver the same to officers of said city having like duties whenever the same shall be needful to carry out the purposes of this act.

Approved April 1, 1896.

Chap.233

AN ACT TO EXEMPT THE CITY OF EVERETT FROM THE PROVISIONS OF AN ACT RELATIVE TO THE RATE OF TAXATION IN CITIES.

Be it enacted, etc., as follows:

Exempted from
operation of
1886, 312, § 1.

SECTION 1. The city of Everett is hereby exempted from the operation of section one of chapter three hundred and twelve of the acts of the year eighteen hundred and eighty-five until the first day of January in the year nineteen hundred and two.

SECTION 2. This act shall take effect upon its passage.

Approved April 1, 1896.

Chap.234

AN ACT TO PROVIDE FOR AN ADDITIONAL SPECIAL JUSTICE OF THE MUNICIPAL COURT OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

Additional
special justice.

SECTION 1. There shall be appointed in the manner provided by the constitution one additional special justice of the municipal court of the city of Boston, who shall have the powers and duties and shall be paid the compensation prescribed for a special justice of said court by section fifty-seven of chapter one hundred and fifty-four of the Public Statutes; so that said court shall be composed of one chief justice, five associate justices and two special justices.

SECTION 2. This act shall take effect upon its passage.

Approved April 1, 1896.

AN ACT MAKING APPROPRIATIONS FOR THE SOLDIERS' HOME IN MASSACHUSETTS, FOR THE NEW STATE NORMAL SCHOOL AT SALEM, AND CERTAIN OTHER EXPENSES AUTHORIZED BY LAW. Chap. 235

Be it enacted, etc., as follows:—

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified in certain acts and resolves of the present year, to wit:— Appropriations.

For Nellie R. Stevens, widow of Everett A. Stevens, as authorized by chapter four of the resolves of the present year, the sum of sixteen hundred twenty-seven dollars and sixty-nine cents. Widow of
Everett A.
Stevens.

For printing extra copies of the report of the metropolitan sewerage commissioners, as authorized by chapter five of the resolves of the present year, a sum not exceeding two hundred and fifty dollars. Report of
metropolitan
sewerage
commissioners.

For the widow of William S. Shurtleff, as authorized by chapter seven of the resolves of the present year, the sum of twenty-eight hundred eighty-three dollars and thirty-eight cents. Widow of
William S.
Shurtleff.

For Patrick Buckley, as authorized by chapter eight of the resolves of the present year, the sum of two hundred dollars. Patrick Buck-
ley.

For James A. Grant, as authorized by chapter thirteen of the resolves of the present year, the sum of three hundred and sixty dollars. James A.
Grant.

To provide for the acquisition of land and the erection of tablets or monuments on the battlefield of Antietam, as authorized by chapter sixteen of the resolves of the present year, a sum not exceeding eight thousand dollars. Erection of
monuments on
battlefield of
Antietam.

For the trustees of the Soldiers' Home in Massachusetts, as authorized by chapter eighteen of the resolves of the present year, the sum of thirty thousand dollars. Soldiers' Home.

For the new state normal school at Salem, as authorized by chapter nineteen of the resolves of the present year, a sum not exceeding twenty-five thousand dollars. Normal school
at Salem.

For the care and furnishing of the armory of the Massachusetts volunteer militia in the city of Fall River, as authorized by chapter twenty of the resolves of the pres- Armory at Fall
River.

ent year, a sum not exceeding twenty-two hundred dollars.

SECTION 2. This act shall take effect upon its passage.

Approved April 1, 1896.

Chap. 236 AN ACT RELATIVE TO THE COLLECTION OF SEWER ASSESSMENTS AND CHARGES.

Be it enacted, etc., as follows :

Sewer assessments and charges to constitute a lien upon estates, etc.

SECTION 1. All assessments and charges for main drains and common sewers, whether in the nature of assessments or charges for the use of such sewers or annual charges or rentals or otherwise upon any estate, whether the same abuts upon a street where such sewer is laid or otherwise, shall constitute a lien upon said estates and may be collected in the same manner as taxes upon real estate, or by an action of contract in the name of the city. Said lien shall continue for two years after said assessments or charges have been committed to the collector for collection, and when sums are to be paid in instalments such lien shall continue for two years after the last instalment has been committed to the collector for collection.

SECTION 2. This act shall take effect upon its passage.

Approved April 1, 1896.

Chap. 237 AN ACT RELATIVE TO THE LOCATION, LAYING OUT AND CONSTRUCTION OF HIGHWAYS IN THE CITY OF BOSTON

Be it enacted, etc., as follows :

1891, 323, § 11, etc., amended.

SECTION 1. Section eleven of chapter three hundred and twenty-three of the acts of the year eighteen hundred and ninety-one, as amended by section six of chapter four hundred and eighteen of the acts of the year eighteen hundred and ninety-two, is hereby amended by striking out the whole of said section and inserting in place thereof the following : — *Section 11.* Any estate of which any part lies within one hundred and twenty-five feet of the highway described in the aforesaid order of said street commissioners shall, for the purposes of this act, be deemed a parcel of land.

Method of determining a parcel of land.

1891, 323, § 14, etc., amended.

SECTION 2. Section fourteen of chapter three hundred and twenty-three of the acts of the year eighteen hundred and ninety-one, as amended by section seven of chapter four hundred and eighteen of the acts of the year eight-

een hundred and ninety-two, is hereby amended by striking out all of said section and inserting in place thereof the following: — *Section 14.* Said board of street commissioners shall, after the carrying out of their order, determine the cost incurred thereby, including the expenses of taking land and of all other doings in laying out, locating anew, altering or widening or constructing the highway, the expenses of the sewers and the laying thereof, to the amount of four dollars for each lineal foot of sewer, the expenses for catch basins and other sewer appurtenances and all sewer connections and the laying thereof, and the expenses of all other work and materials furnished by or for the city in carrying out said order, shall deduct from said cost the expenses of the city for water pipes, gas pipes and connections and the laying thereof, and when the highway is more than fifty feet in width shall also deduct so much of the expenses of laying out, locating anew, altering or widening or constructing the highway as said board, with the approval of the mayor of said city, shall determine that the public should assume and pay, and the remainder of said cost shall be the assessable cost of the work done under said order.

Board of street commissioners to determine assessable cost.

SECTION 3. Section seventeen of said chapter three hundred and twenty-three of the acts of the year eighteen hundred and ninety-one, as amended by section ten of chapter four hundred and eighteen of the acts of the year eighteen hundred and ninety-two, is hereby amended by striking out all of said section and inserting in place thereof the following: — *Section 17.* Any parcel of land aforesaid the owner of which shall have paid to said city the balance of the amount of the said assessable cost for which his parcel is liable, remaining after deducting therefrom any premiums paid by him, provided that the interest at the rate of four and one half per cent. per annum on the whole amount assessed on said parcel from the date of the order for laying out and constructing the highway to the date of the payment has also been paid, shall be relieved from further lien or liability for said cost, or the owner thereof may at any time pay a part of said balance, provided the interest has been paid as aforesaid; and the board of street commissioners may then at their discretion, with the approval of the mayor, relieve a proportional part of said parcel from further liability and lien for said cost, and the remainder of said balance shall

1901, 323, § 17, etc., amended.

Payment of balance of assessable cost, etc.

be a lien upon the remaining land and shall be apportioned and paid as hereinbefore provided for the whole of said parcel.

SECTION 4. This act shall take effect upon its passage.

Approved April 3, 1896.

Chap. 238 AN ACT RELATIVE TO THE BUILDING OF SEWERS IN CAMBRIDGE
BY THE CITIES OF CAMBRIDGE AND SOMERVILLE.

Be it enacted, etc., as follows:

Draining, etc.,
of certain terri-
tory in cities of
Somerville and
Cambridge.

SECTION 1. For the purpose of draining and providing sewerage for the territory situated in Somerville and in Cambridge and described in section one of chapter three hundred and twenty of the acts of the year eighteen hundred and ninety-five, (the description of territory in said section being hereby adopted as, and made, a part of this section) and for such enlargement thereof or additional territory as may from time to time be agreed upon by the cities of Cambridge and Somerville, acting by their respective city councils; the mayor and aldermen of the city of Somerville may lay, make and maintain a main drain or common sewer from Somerville to, and to discharge into, the metropolitan sewer, and lateral main drains or common sewers from Somerville to, and to discharge into, said main drain or common sewer, or such parts of said main drains or common sewers or any of them as they shall from time to time deem expedient, through that portion of Cambridge which is within the aforesaid territory, in such part thereof, and through such land of any persons and corporations in Cambridge, as said cities may agree upon, and may repair the said main drains or common sewers from time to time whenever repairs thereof shall be necessary, and such main drains or common sewers shall be the property of the city of Somerville. The city of Cambridge, or the cities of Cambridge and Somerville jointly, acting by their respective boards of mayor and aldermen, may lay, construct and maintain within the limits of Cambridge said main drain or common sewer and said lateral main drains or common sewers or any, or any part, of the same upon such terms as to ownership and use thereof, and the apportionment between said cities of the expense thereof, and otherwise, as shall be agreed upon between said cities acting by their respective city councils, and for the afore-

City of Cam-
bridge, or cities
of Cambridge
and Somerville
jointly, may lay
and maintain a
sewer, etc., in
Cambridge.

said purposes the city of Cambridge, or the cities of Cambridge and Somerville jointly, shall have the same right to take land in Cambridge and within said territory, as the city of Cambridge now has to take land for sewers in Cambridge; and all the proceedings of such taking shall be conducted in the same manner as in the case of land taken for sewers in Cambridge, and all persons or corporations suffering damage in their property by reason of such taking shall have the same rights and remedies for ascertaining and recovering the amount of such damage as in the case of land taken for sewers in Cambridge.

City of Somerville may take private land in Cambridge, etc.

SECTION 2. For the purposes named in the preceding section the city of Somerville by its city council shall have the same right to take private land in Cambridge and within said territory as it now has to take land for sewers in Somerville, and all the proceedings of such taking, if made by the city of Somerville, shall be conducted in the same manner as though such land were in Somerville, and all persons or corporations suffering damage in their property by reason of such taking shall have the same rights and remedies for ascertaining and recovering the amount of such damage as in the case of land taken for sewers in Somerville.

Cities of Somerville and Cambridge, separately or jointly, may carry sewer, etc., under streets, etc., in Cambridge.

SECTION 3. The city of Somerville, or the city of Cambridge, if either separately shall construct any such main drain or common sewer, or the cities of Cambridge and Somerville, if they shall jointly construct any such main drain or common sewer, may, for the purposes of this act, carry any such main drain or common sewer under any street, railroad, highway or other way in the city of Cambridge, in such manner as not to unnecessarily obstruct the same, and may enter upon and dig up such street, railroad, highway or other way for the purpose of laying, maintaining and repairing said main drain or common sewer, and may do any other things necessary or proper in executing the purposes of this act; but whenever the city of Somerville enters upon or digs up for such purposes any such road, street or way in Cambridge, it shall be subject to such reasonable regulations as may be prescribed by the mayor and aldermen of the city of Cambridge, and shall restore said road, street or way to as good order and condition as it was in before such entering upon and digging up was commenced; shall perform the work in such manner and with such care as

City of Cambridge to be reimbursed, etc.

not to render any road, street or way in which such sewer is laid unsafe or unnecessarily inconvenient to the public travel thereon, and shall reimburse to the city of Cambridge all expense which it shall reasonably incur, and at all times indemnify and save harmless the city of Cambridge against all damages which may be recovered against it, by reason of any defect or want of repair in such road, street or way, caused by the construction, maintenance, repair or replacing of said sewer, or by reason of any injury to persons or property caused by any defect or want of repair in such sewer, provided that the city of Somerville has notice of any claim or suit for such damage or injury, and an opportunity to assume the defence thereof.

City of Cambridge may use sewer, etc., for certain purposes, etc.

SECTION 4. For the purpose of conducting away house drainage (but not storm water or ground water or roof water) from that portion of its territory which is within the above-described territory, the city of Cambridge shall have the right to use the said main drain or common sewer and lateral main drains or common sewers, built under this act within its own territorial limits, and shall have the same right of assessing a proportional part of any expenses paid by it for or on account of the construction of said main drain or common sewer, and lateral main drains or common sewers, upon any persons receiving benefit thereby for draining their cellars or lands in said Cambridge or otherwise, as it now has of assessing on account of the construction of other main drains or common sewers in such city.

Certain persons may be assessed a proportionate part of charge of making sewers, etc.

SECTION 5. The mayor and aldermen of the city of Somerville shall have the same right of assessing every person who enters his particular drain into any main drain or common sewer within the said territory in the city of Somerville, or who by more remote means receives benefit thereby for draining his cellar or land in Somerville, a proportional part of the charge of making and repairing the same, and of the charge, not already assessed, of making and repairing other main drains and common sewers through which the same discharges, and of making and repairing said main drains or common sewers, and lateral main drains or common sewers, in the city of Cambridge, as said mayor and aldermen now have of assessing on account of the construction of other main drains or common sewers in the city of Somerville, and

as if said main drains or common sewers in Cambridge were situated in Somerville; and if the city council of the city of Somerville, which it is hereby authorized to do, shall adopt a system of sewerage and assessments therefor, in accordance with the provisions of section seven of chapter fifty of the Public Statutes and acts in amendment thereof or in addition thereto, for a part or the whole of said territory which is within the city of Somerville, such assessments, as provided for in said section seven and in acts in amendment thereof or in addition thereto, shall be made upon owners of estates within said territory by a fixed uniform rate based upon the estimated average cost of all the sewers therein; — and, whether such assessments are made under a system of sewerage and assessments therefor, adopted as aforesaid, or are otherwise made, and whether said main drains or common sewers and said lateral main drains or common sewers in Cambridge shall be constructed and owned by the city of Somerville or by the city of Cambridge, or by said cities jointly or otherwise, there may be included as a part of such cost to the city of Somerville the cost or any portion thereof to the city of Somerville of said sewers in Cambridge, or any sum which may be paid by the city of Somerville to the city of Cambridge for or on account of the construction or use of said sewers in Cambridge; and the city of Somerville shall have the same right to make assessments within the limits of Somerville for or on account of said main drains or common sewers and said lateral main drains and common sewers in Cambridge, or any of the same, or for or on account of the expense thereof or of the amounts paid by the city of Somerville for the use thereof, (which amounts shall be regarded as a part of the cost, charge or expense to the city of Somerville of such sewers), as if said main drains or common sewers and said lateral main drains or common sewers in Cambridge were situated in Somerville.

Certain persons may be assessed a proportionate part of charge of making sewers, etc.

SECTION 6. For the purpose of disposing of and conducting away storm water from any overflow from said main drains or common sewers at any part thereof, or storm water or surface drainage from the territory situated in Somerville and in Cambridge and described in section six of said chapter three hundred and twenty, [the description of territory in said section being hereby adopted as, and made, a part of this section], and for such enlarge-

City of Somerville may lay, maintain, etc., channel or water course for certain purposes through portion of Cambridge, etc.

City of Somerville may lay, maintain, etc., channel or water course for certain purposes through portion of Cambridge, etc.

ment thereof or additional territory as may from time to time be agreed upon by the cities of Cambridge and Somerville, acting by their respective city councils; the mayor and aldermen of the city of Somerville may lay, make and maintain a drain, channel or water course, either in whole or in part open or covered, in and from Somerville to, and to discharge into, Alewife brook, and lateral drains, channels or water courses from Somerville to, and to discharge into, said drain, channel or water course, or such parts of said drains, channels or water courses, or any of them, as they shall from time to time deem expedient and in and through that portion of Cambridge, which is within the above-described territory, in such part thereof and through such land of any persons or corporations in Cambridge, as said cities may agree upon, and in such part of Somerville and in and through such lands of any persons or corporations in Somerville, as to the mayor and aldermen of the city of Somerville shall seem best, and within the limits of Cambridge shall, and within the limits of Somerville may, repair the said drains, channels or water courses from time to time whenever repairs thereof shall be necessary, and for the said purpose of conducting away storm water or surface drainage from said territory or the storm water from any overflow from any sewer in said territory, said mayor and aldermen may use the brook in said territory known as Tannery brook, whether in Cambridge or in Somerville, and may widen, deepen and improve said brook by walling up or covering the same, or by any other means; and may conduct such storm water or surface drainage into such brook, and the storm water or surface drainage from said territory in Somerville or any part thereof may be conducted into and through any main drain or common sewer in Somerville, and into and through the main drains or common sewers or any of them referred to in section one of this act, and may by a storm water overflow be diverted at any point thereof from said main drains or common sewers referred to in section one of this act, or from any main drain or common sewer in Somerville, into any drain or water course referred to in this section.

Taking of certain lands, water courses, etc.

SECTION 7. For the purposes named in the last preceding section the city of Somerville by its city council may from time to time take by purchase or otherwise

said brook or any part of the same or the use thereof, or of any part of the same, and any lands, water courses or easements within said territory, whether in Cambridge or Somerville, (such brook, lands, water courses, or easements in Cambridge to be taken only by the consent of the city of Cambridge, acting by its city council), and all proceedings in regard to such taking by the city of Somerville shall be conducted in the same manner as in the case of land in Somerville taken for sewers; and the drains or common sewers or any of them referred to in section one of this act may be laid, made and maintained in any land or any part thereof taken as aforesaid for drains, channels or water courses, as referred to in this and the next preceding section of this act, or such drains, channels or water courses or any part thereof may be laid, made or maintained in any land or any part thereof taken for main drains or common sewers as referred to in sections one and two of this act, or land may be taken from time to time by one taking, whether by purchase or otherwise, both for said main drains or common sewers and for said drains, channels, or water courses; — and all persons or corporations suffering damage in their property by reason of such taking, or by reason of the proceedings aforesaid, shall have the same rights and remedies for ascertaining and recovering the amount of such damage as in the case of land taken for sewers in Somerville; — or the city of Cambridge, or the cities of Cambridge and Somerville jointly, upon such terms, as to ownership and use thereof and the apportionment between said cities of the expense thereof and otherwise, as shall be agreed upon between said cities acting by their respective city councils, may, within the limits of Cambridge, have the same rights and powers as to said drains, channels and water courses, referred to in this and the next preceding section of this act, and as to said brook or the use thereof, and as to taking by purchase or otherwise lands, water courses or easements within the limits of Cambridge, as are herein conferred upon the city of Somerville; and all the proceedings in regard to such taking by the city of Cambridge, or by said cities jointly, shall be conducted in the same manner as in the case of land taken for sewers in Cambridge; and all persons or corporations suffering damage in their property by reason of such taking or takings by the city of

Taking of
certain lands,
water courses,
etc.

Taking of
certain lands,
water courses,
etc.

Cambridge, or by said cities jointly, or by reason of the proceedings aforesaid by said city of Cambridge or by said cities jointly, shall have the same rights and remedies for ascertaining and recovering the amount of such damage as in the case of land taken for sewers in Cambridge. In estimating the damage in any case in consequence of proceedings under sections six and seven of this act, there shall be allowed by way of set-off, the benefit, if any, to the property of the party by reason of such taking or takings or by reason of the proceedings aforesaid, or of any proceedings for which damage is claimed; but in no event shall the owner of any such property in Cambridge be obliged to pay any betterments, even in case said benefit shall exceed the amount of damage.

Section 8 to
apply to drains,
etc., constructed
under §§ 6 and 7,
etc.

SECTION 8. The provisions of section three of this act in regard to the construction of the main drain or common sewer therein referred to under any street, railroad, highway or other way in the city of Cambridge shall apply to any drain or water course constructed in the city of Cambridge under the provisions of the last two preceding sections of this act. The city of Somerville may, within the limits of Somerville, carry any main drain or common sewer, drain or water course, which shall be at any time constructed or taken by it, within the territory described in section six of this act, under any street, railroad, highway, or other way in such city of Somerville, in such manner as not to unnecessarily obstruct the same, and may in such manner as not to unnecessarily obstruct the same enter upon, and dig up, such street, railroad, highway, or other way for the purpose of laying, maintaining and repairing such main drains or common sewers, drains or water courses.

Use of drains,
etc., by city of
Cambridge.

SECTION 9. The city of Cambridge shall have the right to use any drains, channels or water courses constructed in Cambridge under the provisions of the last two preceding sections of this act, for the purpose of disposing of and conducting away storm water or surface water from the aforesaid territory situated in Cambridge.

May connect
main drains or
common sewers,
etc.

SECTION 10. The cities of Cambridge and Somerville respectively may at any time connect any main drains or common sewers in their respective cities with, and discharge the same into, any main drains or common sewers in the territory of the other, upon such terms and conditions and for the drainage of such territory as

may be from time to time agreed upon by said cities acting by their respective city councils, and either of said cities may in the construction of any sewer provide for receiving sewage from the other.

SECTION 11. Nothing herein contained shall be construed to destroy or impair the prescriptive rights of either of said cities as they exist at the date of the passage of this act, except as they may be modified or extinguished by the terms and provisions herein set forth.

Certain rights not impaired.

SECTION 12. The word "territory", whenever referred to in this act, shall be construed to mean and include not only the territory specifically referred to and described in sections one and six of this act, but any enlargement thereof or additional territory, as respectively provided for by said sections.

Term defined.

SECTION 13. The city of Cambridge and the city of Somerville, acting by their respective city councils, are hereby authorized to make from time to time such agreements between said cities as to them shall seem advisable in regard to the particular location within the limits of Cambridge of said main drains or common sewers or any of them, and of said drains or water courses within said limits for storm water or surface water, and of the land to be taken therefor, and in regard to the extent of use, terms and conditions (including the proportionate part to be paid by each of said cities of the expenses of constructing and maintaining said main drains or common sewers or said drains or water courses for storm water or surface water, and the expenses of land taken therefor, and all other expenses appertaining to said drains, sewers or water courses), for or upon which said cities respectively may use, own or maintain such main drains or common sewers, drains or water courses, or land taken therefor, or any part of the same, and also in regard to any and all other matters or things contemplated by this act in reference to the taking and use by the city of Somerville of territory, property or rights in Cambridge for purposes of construction or maintenance of any such sewers or drains or water courses therein as are hereinbefore referred to, and also in reference to any and all other matters and things contemplated by or referred to in this act, or which said cities, acting by their respective city councils, may deem necessary for carrying out the objects contemplated by this act. Until such agreement

Cities of Cambridge and Somerville may make agreements as to location of sewers, etc.

or agreements shall be severally made between said cities, as hereinbefore referred to, in reference to the construction and maintenance of the respective main drains or common sewers, drains, channels or water courses, the city of Somerville shall have no right to construct within the limits of Cambridge any such main drains or common sewers, drains or water courses, or to take land therefor.

Repeal.

SECTION 14. Chapter three hundred and twenty of the acts of the year eighteen hundred and ninety-five is hereby repealed.

When to take effect.

SECTION 15. This act shall be void unless accepted by the city council of each of said cities within one year from the date of the passage hereof, and it shall take effect, when accepted as aforesaid.

Approved April 4, 1896.

Chap. 239 AN ACT TO INCORPORATE THE WORCESTER MASONIC CHARITY AND EDUCATIONAL ASSOCIATION.

Be it enacted, etc., as follows :

Worcester
Masonic Charity
and Educational
Association
Incorporated.

SECTION 1. William A. Lytle, James Draper, Arthur P. Rugg, Theodore C. Bates, William J. Hogg, John N. Akarman, Henry F. Harris, Theodore P. Brown, William H. Sawyer, James Logan, Caleb Colvin, Augustus B. R. Sprague, Moses D. Gilman, Henry Brannon, Abram A. Rheutan, George S. Clough, Charles H. Pinkham, Jesse Smith, James W. Bigelow, Arthur M. Evans, John W. Bisco, Eli Collier, Edmund L. Parker, Frederick M. Clark, Charles S. Chapin, Fred W. Leavitt, John A. Sears, Granville A. Longley, Parkman T. Denny, Herbert H. Fairbanks, William H. Coughlin, James H. Ferguson, Frederick A. Lapham, their associates and successors, are hereby made a corporation by the name of the Worcester Masonic Charity and Educational Association, for the purpose of erecting a building in the city of Worcester in this Commonwealth and maintaining the same for the accommodation and purposes of masonic apartments, lectures, religious exercises, library, systems of education for the promotion of the arts and sciences, and generally for masonic and charitable purposes ; with all the rights and privileges and subject to the restrictions, duties and liabilities set forth in all general laws which now are or hereafter may be in force, so far as applicable to such corporations.

SECTION 2. The above-named persons shall continue members of the corporation during the term of three years from and after the passage of this act, and until their successors shall be chosen as follows: At the third annual meeting after the passage of this act, held by each masonic organization in Worcester recognized by the Grand Lodge of Masons in Massachusetts, each organization may elect three members of the corporation, one for one year, one for two years and one for three years, and such organization may at each annual meeting thereafter elect one member for the term of three years; any other masonic organization in Worcester hereafter organized and recognized by the Grand Lodge of Masons of Massachusetts shall be likewise entitled to elect members of the corporation in the manner above-described.

Membership.

SECTION 3. Said corporation shall have authority to elect from its members a board of trustees for its government and management, and may determine by its by-laws the tenure of office of its trustees, and make rules and regulations governing the same. Said board shall also have power to invest, re-invest and manage all gifts, devises and bequests and all other funds of the corporation, and employ and disburse the same for the relief of distressed freemasons, their widows or orphans, and for the relief of any other needy or destitute persons, and also for educational and charitable purposes, and for the promotion of its library and collections relating to art, architecture and antiquities, and generally otherwise for the purposes of this act.

Trustees, disbursement of funds, etc.

SECTION 4. Said corporation may take by purchase, gift, grant or otherwise and hold real and personal estate not exceeding the value of two hundred and fifty thousand dollars: *provided, however*, that no shares of stock shall be issued and no dividends declared to members of the corporation.

May hold real and personal estate.

Proviso.

SECTION 5. William A. Lytle and Arthur P. Rugg, or either of them, are authorized to call the first meeting of the corporation by notice sent by mail prepaid to each of their associates, appointing the time and place thereof, seven days at least before the meeting, at which meeting the mode of calling future meetings shall be regulated.

First meeting.

SECTION 6. This act shall take effect upon its passage.

Approved April 4, 1896.

Chap.240 AN ACT TO INCLUDE THE TOWN OF BOYLSTON WITHIN THE JUDICIAL DISTRICT OF THE SECOND DISTRICT COURT OF EASTERN WORCESTER.

Be it enacted, etc., as follows:

Annexed to
judicial district
of Second Dis-
trict Court of
Eastern
Worcester.

SECTION 1. The town of Boylston is hereby annexed to and made a part of the judicial district of the Second District Court of Eastern Worcester: *provided, however*, that nothing in this act shall affect any suit or other proceedings begun and pending at the time of its taking effect.

SECTION 2. This act shall take effect upon its passage.

Approved April 4, 1896.

Chap.241 AN ACT RELATIVE TO THE WEEKLY PAYMENT OF WAGES.

Be it enacted, etc., as follows:

Not to be ex-
empt from
provisions of
1895, 438.

SECTION 1. No person or partnership engaged in this Commonwealth in manufacturing business and having more than twenty-five employees shall, by a special contract with persons in his or its employ or by any other means, exempt himself or itself from the provisions of chapter four hundred and thirty-eight of the acts of the year eighteen hundred and ninety-five relative to the weekly payment of wages.

Penalty.

SECTION 2. Whoever violates the provisions of this act shall be punished by a fine not exceeding fifty dollars and not less than ten dollars.

SECTION 3. This act shall take effect upon its passage.

Approved April 6, 1896.

Chap.242 AN ACT TO INCORPORATE THE SPRINGFIELD BRANCH OF THE WOMAN'S BOARD OF MISSIONS.

Be it enacted, etc., as follows:

The Springfield
Branch of the
Woman's Board
of Missions
incorporated.

SECTION 1. Ellen B. Derby, Clara S. Palmer, Harriet N. Norton, Eliza B. Rogers, Anna M. Tuck, Harriet T. Buckingham, Emma L. Hubbard, their associates and successors, are hereby constituted a body corporate, to be located in the city of Springfield, under the name of The Springfield Branch of the Woman's Board of Missions; with all the powers and privileges and subject to all the duties, liabilities and restrictions set forth in the general laws which now are or may hereafter be in force

relating to corporations, so far as the same may be applicable; except as hereinafter provided.

SECTION 2. The officers of said corporation shall be Officers, etc.
a president, two or more vice presidents, one or more recording secretaries, one or more corresponding secretaries, and a treasurer, all the above-named officers to be elected annually in such manner as shall be provided in the by-laws; an executive committee, consisting of the above-named officers, and a board of directors. The board of directors shall consist of one person appointed annually by and from the membership of each society or voluntary association auxiliary to said corporation, or hereafter recognized as such by said corporation.

SECTION 3. The object and purpose of said corporation Object and purpose of corporation.
shall be to collect, receive and hold money given by voluntary contributions, donations, bequests and otherwise, to be devoted to the christianization of women in foreign lands, by means of missionaries, schools and native helpers, under the direction and through the treasury of The Woman's Board of Missions.

Approved April 7, 1896.

AN ACT RELATIVE TO THE PAYMENT OF SEWER ASSESSMENTS AND
THE PUBLICATION OF SEWER REGULATIONS IN THE CITY OF
MEDFORD.

Chap. 243

Be it enacted, etc., as follows:

SECTION 1. Section six of chapter one hundred and eighty of the acts of the year eighteen hundred and ninety-three is hereby amended by striking out the words "city treasurer", wherever said words occur in said section, and inserting in place thereof the words:— collector of taxes of said city,—so that said section as amended shall read as follows:— *Section 6.* The city council of said city may by vote determine what proportion of the cost of said system of sewerage said city shall pay, provided that it shall not pay less than one third nor more than one half of the whole cost. The remaining cost of said system shall be borne by the owners of estates situated within the territory embraced by it and benefited thereby, but no estate shall be deemed to be benefited unless or until a sewer is constructed into which it can be drained. The owners of such estates shall be assessed by said commissioners their proportional parts

1893, 180, § 6,
amended.

Apportionment,
etc., of cost of
system of
sewerage.

Apportionment,
etc., of cost of
system of
sewerage.

Provisos.

1893, 180, § 13,
amended.

Rules, regula-
tions and
penalties.

respectively of such portion of the total cost of said system as is not borne by the city as above-provided. Such proportional parts shall be based upon the estimated average cost of all the sewers composing said system, and shall be assessed by a fixed uniform rate according to the frontage of such estate on any street or way in which a sewer is constructed, or according to the area of such estate within a fixed depth from such street or way, or according to both frontage and area; and every such owner shall, within three months after written notice of such assessment served on him or on the occupants of his estate, or sent by mail to the last address of said owner known to said commissioners, pay the sum so assessed to the collector of taxes of said city: *provided*, that said board shall, on the written request of any such owner made within said three months, apportion such assessment into such number of equal parts or instalments, not exceeding five, as said owner shall state in such request; and said board shall certify such apportionment to the assessors of said city, and one of said parts or instalments, with interest from the date of said apportionment at the rate of five per centum per annum, shall be added by the assessors to the annual tax on such estates for each year next ensuing until all said parts have been so added and paid, unless sooner paid as hereinafter provided; and *provided, further*, that nothing herein contained shall be construed to prevent the payment at any time in one payment, notwithstanding its prior apportionment, of any balance of said assessments then remaining unpaid; but interest on such balance at the rate of five per centum per annum shall be paid to the date of such payment; and thereupon the collector of taxes of said city shall receive the same and shall certify such payment or payments to the assessors, who shall preserve a record thereof. In cases of corner lots and lots abutting on more than one sewered street the same area shall not be assessed more than once.

SECTION 2. Section thirteen of said chapter is hereby amended by striking out the words "in some newspaper of", in the seventh and eighth lines, and inserting in place thereof the words: — for three successive weeks in some newspaper published in, — so that said section as amended shall read as follows: — *Section 13.* Said board of commissioners may prescribe rules and regulations for

the inspection of materials, construction, alteration or use of all sewers or drains entering into such main sewers, and may impose penalties, not exceeding twenty dollars, for each violation of any such rule or regulation. Such rules or regulations shall be published not less than once a week for three successive weeks in some newspaper published in said city of Medford and shall not take effect until such publication has been made.

SECTION 3. This act shall take effect upon its passage.

Approved April 7, 1896.

AN ACT RELATIVE TO THE DIVISION OF CITIES INTO VOTING PRECINCTS. *Chap. 244*

Be it enacted, etc., as follows :

Section ninety-seven of chapter four hundred and seventeen of the acts of the year eighteen hundred and ninety-three is hereby amended by striking out the words "eight hundred", in the fourth, ninth, twelfth, eighteenth, twenty-third and twenty-seventh lines, and inserting in place thereof in each case the words :—one thousand,—so that said section as amended will read as follows :—

Section 97. The several cities of the Commonwealth shall, for the choice of all officers who are elected by the people, be divided into convenient voting precincts containing not more than one thousand registered male voters, and all such voting precincts shall be designated by numbers or letters of the alphabet.

Every ward of a city containing, according to the registration of voters at the preceding annual city election, one thousand or less registered male voters, shall constitute a voting precinct, except that if a ward shall, according to such registration in any year, contain more than five hundred but not more than one thousand such voters, the board of aldermen of the city may, on or before the first Monday of July in the following year, if they shall deem it expedient so to do, divide the same into two voting precincts. If a ward of a city constituting a single voting precinct shall, according to such registration, in any year contain more than one thousand male voters, the board of aldermen shall, on or before the first Monday of July in the following year, divide the same into two or more voting precincts ; and if a voting precinct of a ward shall, according to such registra-

1893, 417, § 97, amended.

Voting precincts in cities, designation, etc.

Division into voting precincts.

Division into
voting precincts.

tion in any year, contain more than one thousand male voters, the board of aldermen shall in like manner either divide such precinct into two or more voting precincts or shall make a new division of the ward into voting precincts, so that no such precinct shall contain more than one thousand registered male voters. When wards are so divided into voting precincts, the precincts shall be established so as to contain, as nearly as may be, an equal number of voters, and in such manner that each precinct shall consist of compact and contiguous territory, and shall be entirely within one ward; and, so far as possible, the middle lines of known streets or ways, or other well-defined limits, shall be the boundaries of such precincts.

Approved April 7, 1896.

Chap.245 AN ACT RELATIVE TO THE SEWER INDEBTEDNESS OF THE CITY OF MARLBOROUGH.

Be it enacted, etc., as follows :

Not to be
included in
ascertaining
indebtedness of
city.

SECTION 1. Debts heretofore incurred by the town and city of Marlborough and debts hereafter incurred by said city for the construction of its sewers and system of sewerage, shall be excluded in ascertaining the amount of indebtedness of said city for the purposes of chapter twenty-nine of the Public Statutes and acts in amendment thereof and in addition thereto.

Certain obligations to be binding upon city.

SECTION 2. Any and all notes and other obligations heretofore issued by said town and city for money borrowed shall be binding upon said city, notwithstanding that the same may have been in excess of the limit of indebtedness fixed by law for said town and city.

SECTION 3. This act shall take effect upon its passage.

Approved April 7, 1896.

Chap.246 AN ACT RELATIVE TO THE BOARD OF PUBLIC WORKS OF THE CITY OF NEW BEDFORD.

Be it enacted, etc., as follows :

Clerk of board of public works of New Bedford, election, compensation, etc.

SECTION 1. The board of public works of the city of New Bedford shall annually in the month of May elect and fix the compensation of some person to be clerk of the board, who shall hold office for one year. He shall have the powers and perform the duties heretofore appertaining to the city clerk as clerk of said board, and shall be sworn to faithfully discharge said duties. His appoint-

ment shall not be subject to the provisions of chapter three hundred and twenty of the acts of the year eighteen hundred and eighty-four or any acts in amendment thereof. So much of section two of chapter one hundred and sixty-seven of the acts of the year eighteen hundred and eighty-nine as is inconsistent herewith is hereby repealed.

Repeal.

SECTION 2. This act shall not take effect until it has been accepted by a two thirds vote of the members of the city council of said city, which vote shall be taken by a roll call.

When to take effect.

Approved April 7, 1896.

AN ACT RELATIVE TO ARREST ON MESNE PROCESS AND EXECUTION.

Chap.247

Be it enacted, etc., as follows :

SECTION 1. Whenever a person is under arrest by any constable on mesne process or on execution such person may be further arrested by any deputy sheriff upon a writ or execution which such constable may not be authorized by law to serve ; and thereupon said constable shall deliver the custody of such person to the deputy sheriff and make return upon his writ or execution of his doing thereon, and deliver the same to the deputy sheriff, who shall hold such person in arrest thereunder and complete the service thereof.

Arrest on mesne process or execution.

SECTION 2. This act shall take effect upon its passage.

Approved April 7, 1896.

AN ACT RELATIVE TO THE SUPERVISION OF THE STATE PRINTING.

Chap.248

Be it enacted, etc., as follows :

SECTION 1. The secretary of the Commonwealth shall in addition to his other duties supervise the state printing. The auditor of the Commonwealth shall cause to be measured all the printing done under the state printing contract and no bills for printing shall be allowed unless they are found to be in strict conformity with said contract. In order to properly carry out the provisions of this act the auditor may employ in his department an expert in printing, who shall in addition to his duties in connection with the examination of bills for printing under the state contract perform such other clerical assistance as the auditor may require, and shall receive for his services fifteen hundred dollars per annum.

Supervision and measurement of state printing.

Repeal.

SECTION 2. Chapter two hundred and eighty-seven of the acts of the year eighteen hundred and ninety-three is hereby repealed.

SECTION 3. This act shall take effect upon its passage.
Approved April 7, 1896.

Chap.249 AN ACT TO AUTHORIZE THE TOWN OF BARNSTABLE TO TAKE CERTAIN LANDS FOR A PUBLIC LANDING PLACE.

Be it enacted, etc., as follows:

May take certain lands for a public landing place.

SECTION 1. The town of Barnstable is hereby authorized to take, by purchase or otherwise, so much of the flats and lands between low and high water mark, adjoining a town road, which road leads from the county road and is bounded by the land of Alexander C. Adams on the north and the land of Oliver C. Lambert on the south, as may be necessary for the establishment of a public landing place in the westerly part of the village of Cotuit in said town: *provided*, that so much of said flats and lands as cannot be obtained by purchase shall be taken by said town of Barnstable, within two years, and under the laws relating to the taking of land for town ways.

Proviso.

Damages.

SECTION 2. Any person whose land is taken or damaged by said taking shall have his damages estimated and determined by the board whose duty it is to estimate and determine damages in the case of land taken for town ways, and if said person is aggrieved by such award he shall have the same right of appeal as a person whose land has been taken for town ways.

Not to construct a wharf, etc.

SECTION 3. Said town shall not erect or construct a wharf or pier upon the land thus taken.

SECTION 4. This act shall take effect upon its passage.
Approved April 7, 1896.

Chap.250 AN ACT RELATIVE TO THE INSPECTION OF ARTICLES OF FOOD IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

1895, 449, § 19, amended.

SECTION 1. Section nineteen of chapter four hundred and forty-nine of the acts of the year eighteen hundred and ninety-five is hereby amended by striking out all of said section, and inserting in place thereof the following: — *Section 19.* The board of health of the city of Boston shall appoint as employees of the health department one

Health inspectors, appointment, powers and duties.

or more health inspectors, who shall, as designated by said board, have and perform all the powers and duties conferred by law upon inspectors of milk, inspectors of vinegar, inspectors of animals, and inspectors of provisions and of animals intended for slaughter, and such other duties as said board may direct, and the inspection of milk and vinegar department, and inspection of provisions department are hereby abolished, and the officers so designated shall be the inspectors of milk, the inspectors of vinegar, the inspectors of provisions, the inspectors of animals, and the inspectors of provisions and of animals intended for slaughter in said city.

Certain offices abolished, etc.

SECTION 2. This act shall take effect upon its passage.

Approved April 7, 1896.

AN ACT RELATIVE TO THE COLLECTION OF SEWER AND SIDEWALK ASSESSMENTS.

Chap. 251

Be it enacted, etc., as follows:

SECTION 1. Demand for the payment of assessments made on account of the construction of sewers or of sidewalks may be made in the same manner as demands for the payment of taxes, and sales for the non-payment of such assessments and all proceedings connected therewith shall be made upon the same notices thereof, and shall be otherwise conducted in the same manner as sales for non-payment of taxes; and all proceedings subsequent to such sales, in regard to redemption, the purchase and holding of the land by or on behalf of the town or city, the interest to be paid in case of redemption, and otherwise, shall be the same as in the case of land sold for taxes.

Collection of sewer and sidewalk assessments.

SECTION 2. A city by its city council, and a town at any town meeting, may vote that all assessments on account of the construction of sewers or of sidewalks shall bear interest, at a specified rate, not exceeding seven per cent. per annum, from the thirtieth day after assessment until paid; and the interest accruing under such vote or votes shall be added to and be a part of such assessments.

Assessments may bear interest.

SECTION 3. This act shall take effect upon its passage.

Approved April 7, 1896.

Chap. 252 AN ACT RELATIVE TO THE POLLUTION OF SOURCES OF WATER SUPPLY.*Be it enacted, etc., as follows :*P. S. 80, § 96,
amended.Sources of water
supply not to be
polluted.1884, 164, § 1,
amended.Injunction
against violation
of P. S. 80, § 96.

SECTION 1. Section ninety-six of chapter eighty of the Public Statutes is hereby amended by inserting after the word "any", in the fifth line, the words : — stream or, — by striking out the word "or", after the word "city", in the sixth line, and inserting after the word "town", in the same line, the words : — or water company, — so as to read as follows : — *Section 96.* No sewage, drainage, or refuse or polluting matter, of such kind and amount as either by itself or in connection with other matter will corrupt or impair the quality of the water of any stream or pond hereinafter referred to, for domestic use, or render it injurious to health, and no human excrement, shall be discharged into any stream or pond used as a source of water supply by a city, town, or water company, or upon whose banks any filter basin so used is situated, or into any stream so used, or upon whose banks such filter basin is situated, within twenty miles above the point where such supply is taken, or into any feeders of such pond or stream within such twenty miles.

SECTION 2. Section one of chapter one hundred and fifty-four of the acts of the year eighteen hundred and eighty-four is hereby amended by inserting after the word "judicial", in the first line, the word : — court, — by striking out the word "or", after the word "city", in the third line, and by inserting after the word "town", in the third line, the words : — or a water company, — so as to read as follows : — *Section 1.* The supreme judicial court, or superior court, in term time or vacation, upon the application of the mayor of a city, the selectmen of a town, or a water company, interested, may grant an injunction against any violation of the provisions of section ninety-six of chapter eighty of the Public Statutes.

*Approved April 7, 1896.***Chap. 253** AN ACT RELATIVE TO DIRECTORS OF DOMESTIC STOCK INSURANCE COMPANIES.*Be it enacted, etc., as follows :*Directors of
domestic stock
insurance com-
panies.

SECTION 1. A majority only of the board of directors of every domestic stock insurance company shall be required to be residents of this Commonwealth.

SECTION 2. So much of section thirty-two of chapter five hundred and twenty-two of the acts of the year eighteen hundred and ninety-four as is inconsistent herewith is hereby repealed.

SECTION 3. This act shall take effect upon its passage.

Approved April 7, 1896.

AN ACT RELATIVE TO THE TENURE OF OFFICE OF MEMBERS OF THE STATE BOARD OF AGRICULTURE. Chap. 254

Be it enacted, etc., as follows:

Section two of chapter twenty of the Public Statutes is hereby amended by striking out in the second line, the words "first Wednesday of February", and inserting in place thereof the words:—second Wednesday of January,—and by inserting after the word "terms", in the eighth line, the words:—The terms of the appointed members of said board whose terms would expire on the first Wednesday of February in the year eighteen hundred and ninety-seven shall expire on the second Wednesday of January in said year,—so that said section as amended will read as follows:—*Section 2.* One third of the appointed members of said board shall retire from office on the second Wednesday of January in each year, according to their appointments. The vacancies thus occurring shall be filled by the governor and council, or by the agricultural societies, as the offices were before filled, and the persons thus appointed shall hold their offices for three years from the expiration of the former terms. Other vacancies may be filled in the same manner for the remainder of the vacant terms. The terms of the appointed members of said board whose terms would expire on the first Wednesday of February in the year eighteen hundred and ninety-seven shall expire on the second Wednesday of January in said year.

P. S. 20, § 2,
amended.

Members of
board of agri-
culture, terms
of office.

Vacancies, etc.

Approved April 7, 1896.

AN ACT TO AUTHORIZE THE GREAT BARRINGTON FIRE DISTRICT TO ISSUE BONDS FOR THE REFUNDING OF ITS NOTES AND DEBT CREATED IN CONSTRUCTING SEWERS. Chap. 255

Be it enacted, etc., as follows:

SECTION 1. The Great Barrington Fire District, upon the acceptance of this act as hereinafter provided, may, for the purpose of refunding any or all of its notes now

Great Barrington Fire District
Sewerage Loan,
Act of 1896.

Great Barrington Fire District Sewerage Loan, Act of 1896.

outstanding and providing for the payment of any of its indebtedness contracted in the construction, repair or purchase of main drains and common sewers under the provisions of chapter two hundred and seventy-nine of the acts of the year eighteen hundred and eighty-six, and for the purpose of extending and enlarging its system of sewerage, issue from time to time bonds, notes or scrip to an amount not exceeding twenty-five thousand dollars. Such bonds, notes or scrip shall bear on their face the words, Great Barrington Fire District Sewerage Loan, Act of 1896, shall be payable at the expiration of periods not exceeding twenty years from the date of issue and shall bear interest payable semi-annually at a rate not exceeding four per cent. per annum, and shall be signed by the treasurer of the fire district and countersigned by the chairman of the board of commissioners of sidewalks, common sewers and main drains of said fire district. The said fire district may authorize the treasurer of the district to sell such securities at public or private sale at not less than par, upon such terms and conditions as said treasurer may deem proper.

Payment of loan.

SECTION 2. The said fire district shall provide for the payment of such bonds, notes or scrip in annual payments of such amounts as will in the aggregate extinguish the same within the said period of twenty years, and said district may by vote determine that the principal and interest of any bonds, notes or scrip issued under the provisions of this act shall be payable in gold.

Income from certain assessments to be applied to payment of loan.

SECTION 3. The income from assessments made by the board of commissioners of sidewalks, common sewers and main drains, upon lands or persons benefited by sewers constructed, repaired or purchased by said commissioners under the provisions of chapter two hundred and seventy-nine of the acts of the year eighteen hundred and eighty-six and under the provisions of this act, or received for use of said sewers, shall be applied to the payment of the principal and interest of such bonds, notes and scrip; and said fire district shall raise by taxation such sums as shall be necessary in addition thereto to pay the said principal and interest sums as they shall become due.

Apportionment of assessments, etc.

SECTION 4. The commissioners of sidewalks, common sewers and main drains of said fire district shall assess the owners of estates situated within said fire district for

the purpose of raising funds to pay said bonds, notes and scrip, and for the purpose of maintaining the sewers belonging to said fire district by virtue of the provisions of said chapter two hundred and seventy-nine of the acts of the year eighteen hundred and eighty-six, in the manner following: Such assessment shall be based upon one fourth of the cost of all sewers owned by the district at the time the assessment is made, and shall be assessed by a fixed uniform rate according to the frontage of each estate on any street or way in which a sewer is constructed; or according to the area of each estate within a fixed depth from such street or way; or according to both frontage and area; or by a uniform rate upon all dwellings and a like uniform rate upon all other buildings. Every owner of an estate assessed as aforesaid shall within three months after written notice of such assessment served on him or on the occupant of his estate, or sent by mail to the last address of said owner known to said commissioners, pay the sum so assessed to the treasurer of said fire district: *provided*, that said commissioners shall, on the written request of any such owner made within said three months, apportion such assessment into such number of equal parts or instalments, not exceeding ten, as such owner shall state in such request, and they shall certify such apportionment to the assessors; interest from the date of said apportionment at the rate of five per cent. per annum shall be added to each of said assessments until they are paid, and one of said parts shall be added by the assessors to the annual tax on such estates for each year next ensuing until all said parts have been so added, unless sooner paid as hereinafter provided; and *provided, further*, that nothing herein contained shall be construed to prevent the payment at any time in one payment, notwithstanding its prior apportionment, of any balance of said assessments then remaining unpaid, but interest on such balance at the rate of five per cent. per annum shall be paid to the date of such payment; and thereupon the treasurer shall receive the same and shall certify such payment or payments to the assessors, who shall preserve a record thereof. In cases of corner lots abutting on more than one sewered street the same area shall not be assessed more than once. No assessment shall be made with respect to any estate until it can be drained by a sewer. When a sewer has been

Apportionment
of assessments,
etc.

Proviso.

built running through land other than a street no assessment shall be made as to said land abutting on said sewer until that part thereof occupied by the sewer has been laid out as a street.

1896, 279, § 9,
amended.

Board to lay
main drains,
take land, etc.

SECTION 5. Section nine of said chapter two hundred and seventy-nine is hereby amended by striking out all of said section and inserting in place thereof the following: — *Section 9.* Said board shall lay, reconstruct and maintain in said fire district all such main drains and common sewers as said fire district at a legal meeting called for that purpose shall by vote adjudge to be necessary for the public convenience or the public health, and may repair the same from time to time whenever necessary; and for these purposes may take, in the manner hereinafter provided, any land which in their opinion may be necessary therefor.

1896, 279, § 12,
amended.

Assessments to
constitute lien
on real estate,
etc.

SECTION 6. Section twelve of said chapter two hundred and seventy-nine is hereby amended by striking out all of said section and inserting in place thereof the following: — *Section 12.* All assessments made by the board of commissioners of sidewalks, common sewers and main drains of the Great Barrington Fire District shall constitute a lien on the real estate assessed for three years from the time of assessment, and for one year after the final determination of any suit or proceeding in which the amount or validity of such assessment shall be drawn in question. Every assessment made by said board shall be recorded in books to be kept for that purpose.

Time within
which assess-
ments may be
made.

SECTION 7. Said board of commissioners of sidewalks, common sewers and main drains may make the assessment as provided in section four of this act for sewers already constructed by said fire district, at any time within two years from the date of the acceptance of this act by said fire district, and may make assessments for any sewers hereafter purchased or constructed by said fire district at any time within two years after such purchase or construction. Said commissioners may establish an annual charge for the privilege of connecting or continuing a connection with any sewer belonging to said fire district, and may order any or all persons or corporations to dispose of their sewage in said fire district by connection with some sewer thereof owned by said district, provided any such sewer passes through any street or way adjoining the premises of such persons or corporations;

Commissioners
may establish
an annual
charge for cer-
tain privileges,
etc.

and any person or corporation neglecting to comply with such order shall be liable to a fine not exceeding twenty dollars for each month's continuance of such neglect.

SECTION 8. This act shall take effect upon its acceptance by a two thirds vote of the legal voters of said fire district present and voting thereon at a legal meeting called for that purpose.

When to take effect.

Approved April 9, 1896.

AN ACT RELATIVE TO APPOINTMENTS IN THE BOSTON FIRE DEPARTMENT.

Chap. 256

Be it enacted, etc., as follows:

SECTION 1. All call members in the Boston fire department who have served three or more successive years in said service shall, upon application to the civil service commissioners, be placed upon the eligible list for appointment as permanent men, without any further examination. The fire commissioner may at his discretion appoint such men on the permanent force, at the same salary as a permanent man who has served three or more years in said service.

Appointments in Boston fire department.

SECTION 2. This act shall take effect upon its acceptance by the city government of the city of Boston.

When to take effect.

Approved April 9, 1896.

AN ACT TO REQUIRE ALTERATIONS IN THE CROSSINGS OF PUBLIC AND PRIVATE WAYS WITH RAILROADS IN THE TOWNS OF HYDE PARK AND DEDHAM, AND TO PERMIT THE USE OF ELECTRIC POWER ON THE DEDHAM BRANCHES OF THE NEW YORK, NEW HAVEN AND HARTFORD RAILROAD.

Chap. 257

Be it enacted, etc., as follows:

SECTION 1. The petitions in the superior court for Norfolk county by the directors of the New England Railroad Company and of the New York, New Haven and Hartford Railroad Company, and by the selectmen of Dedham, for the alteration of the grade crossings of Milton street in Hyde Park, and Walnut, Mount Vernon and East streets in Dedham, may be consolidated by the court, and the commissioners who may be appointed therein shall prescribe the manner in which said crossings and all other crossings of public and private ways in said towns on the main line of said last named company and on the Dedham branches thereof shall be altered or abolished so as to insure greater public con-

Alterations in grade crossings in Hyde Park and Dedham, etc.

venience and safety, and shall also provide for the relocation of the stations of said companies in that part of Hyde Park known as Readville, and for a new additional highway crossing of the railroad of the New York, New Haven and Hartford Railroad Company not at grade between the Readville and Hyde Park stations at such point as the commissioners may find public necessity and convenience to require.

By whom alterations, etc., shall be made, etc.

SECTION 2. The alterations and improvements prescribed by said commissioners, so far as they affect the crossings of the road of the New England Railroad Company, shall be made by that company and the expense thereof be paid by it, and for that purpose it may issue bonds to be secured by mortgage upon its road and property to such amount as may be required therefor and approved by the board of railroad commissioners, or it may use the proceeds of bonds issued under its mortgage made on the second day of September in the year eighteen hundred and ninety-five, and recorded in Suffolk registry of deeds, on the twelfth day of September, in the year eighteen hundred and ninety-five. The alterations and improvements prescribed by the commissioners, so far as they affect the crossings of the road of the New York, New Haven and Hartford Railroad Company, shall be made by that company and the expense thereof paid by it from the proceeds of stock or bonds issued by the Old Colony Railroad Company under the provisions of the lease of that company to the New York, New Haven and Hartford Railroad Company and with the approval of the board of railroad commissioners, such stock to be sold at public auction, and such bonds to be issued under the provisions of the general law.

Railroad company may operate with electric power, etc.

SECTION 3. When the grade crossings on said Dedham branches are abolished, as provided in this act, the railroad company may operate such branches and its road between Readville and Boston with electric power in such manner and with such changes in its roadbed or tracks as it may find best adapted thereto, and for the purpose of transmission of electric power for the operation of said road said company may take land in fee or otherwise within such limits as the county commissioners may prescribe, and damages may be recovered therefor in the manner provided in the general laws for the recovery of damages for land taken for railroad purposes.

SECTION 4. All expense of relocation of stations under the first section of this act which the commissioners do not in their report decide to be reasonably necessary in connection with the alteration of crossings hereby required to be altered, and all expenses of any kind incurred under the third section of this act, shall be wholly paid by said railroad companies in such proportions as they may agree, or, if they fail to agree, may be fixed upon the application of either of them by the board of railroad commissioners.

Expense of relocation of stations, etc.

SECTION 5. The acceptance of the report of the commissioners by the court shall be a taking of the land required to be taken for railroad and highway purposes, as therein specified, and the provisions of sections one to eight inclusive of chapter four hundred and twenty-eight of the acts of the year eighteen hundred and ninety, and all acts in addition thereto or in amendment thereof, shall, so far as they do not conflict with the provisions of this act, be applicable to all proceedings under this act.

Taking of land for railroad and highway purposes, etc.

SECTION 6. The superior court shall appoint some proper person to audit from time to time and make report to the court of the expenses incurred by said railroad companies respectively in making the alterations and improvements prescribed and required to be made by the report and decision of said commissioners which are not by this act required to be wholly paid by said railroad companies, and said reports when accepted by the court shall be final. Forty-five per cent. of the expense incurred by said railroad companies respectively, as shown by said reports when accepted by the court, shall be provided and paid by the Commonwealth in the manner provided for the payment of the forty-five per cent. required to be paid under chapter four hundred and thirty-three of the acts of the year eighteen hundred and ninety-two, chapter one hundred and twenty-six of the acts of the year eighteen hundred and ninety-three, and chapter four hundred and sixty-seven of the acts of the year eighteen hundred and ninety-four, in relation to the abolition of grade crossings of the Boston and Providence railroad in the city of Boston. And the towns of Hyde Park and Dedham shall each respectively repay to the Commonwealth thirty per cent. of the amount paid by it on account of the expenses incurred in said towns, such

Apportionment of expenses of alterations, etc.

payments to be made in the manner and with the rate of interest provided in said acts of the years eighteen hundred and ninety-two, eighteen hundred and ninety-three and eighteen hundred and ninety-four.

SECTION 7. This act shall take effect upon its passage.

Approved April 11, 1896.

Chap. 258 AN ACT RELATIVE TO ILLUSTRATIONS IN REPORTS MADE TO THE GOVERNOR OR TO THE GENERAL COURT.

Be it enacted, etc., as follows :

Use of illustrations in reports to be approved in certain cases.

SECTION 1. No illustrations shall hereafter be introduced in printed reports of state officers, or of boards or commissions required to report to the governor or to the general court, except in cases where the insertion of such illustrations is expressly authorized by law or by direction of the general court or of either branch thereof, unless the approval of the secretary of the Commonwealth, acting as supervisor of state printing, and of the auditor of accounts is first obtained for the insertion of such illustrations. The term "illustrations", as used in this section shall include maps and plans, photogravures, wood cuts and other pictorial illustrations.

SECTION 2. This act shall take effect upon its passage.

Approved April 11, 1896.

Chap. 259 AN ACT TO PROHIBIT FISHING THROUGH THE ICE ON THE NORTHERLY END OF LAKE QUINSIGAMOND, IN WORCESTER OR SHREWSBURY.

Be it enacted, etc., as follows :

Taking of fish from Abbott's pond restricted.

SECTION 1. Whoever takes or attempts to take through the ice any fish from the water of that part of Quinsigamond lake known as Abbott's pond, in Worcester or in Shrewsbury, northerly of the turnpike bridge, at any time prior to the first day of November in the year nineteen hundred and one, shall for each offence be punished by fine not exceeding five dollars; and in any prosecutions under this act the possession of any fish upon, or on the shores of, said lake shall be prima facie evidence of a violation of this act.

SECTION 2. This act shall take effect upon its passage.

Approved April 11, 1896.

AN ACT TO INCORPORATE THE MANUFACTURERS' AGRICULTURAL SOCIETY IN NORTH ATTLEBOROUGH. *Chap. 260*

Be it enacted, etc., as follows :

SECTION 1. George H. French, Elton I. Franklin, William H. Riley, William W. Sherman, John W. Wolfenden and Sidney O. Bagney, their associates and successors, within the towns of Attleborough, Wrentham, Foxborough, Rehoboth, Franklin, Mansfield, Norton and North Attleborough, are hereby made a corporation under the name of the Manufacturers' Agricultural Society, located in North Attleborough, for the encouragement of agriculture, horticulture and the arts, by premiums and other means ; with all the powers and privileges and subject to all the duties, restrictions and liabilities set forth in all general laws which now are or may hereafter be in force applicable to such corporations, provided said corporation shall not be deprived of any bounty from the Commonwealth by the existence of the North Attleborough Agricultural Society. The capital stock of said corporation shall not exceed thirty thousand dollars, to be divided into shares of twenty-five dollars each ; and said corporation is hereby authorized to hold, by purchase, gift, devise or otherwise, real and personal estate to an amount not exceeding thirty thousand dollars.

Manufacturers' Agricultural Society in North Attleborough incorporated.

Capital stock, etc.

SECTION 2. This act shall take effect upon its passage.

Approved April 11, 1896.

AN ACT TO INCORPORATE THE TOWN OF BALDWINVILLE.

Chap. 261

Be it enacted, etc., as follows :

SECTION 1. All the territory now within the town of Templeton which lies northerly of the following described line, that is to say : Beginning at a stone monument on the boundary line between the town of Templeton and the town of Phillipston, at a point where said boundary line intersects the southerly line of the Royalston road northwesterly of and near the Lewis Brigham place, and running thence easterly to a stone monument at the northwest corner of the Baptist common schoolhouse lot, thence in the same course easterly to a stone monument on the east line of the East Baptist common road, thence running southeasterly in a straight line to the boundary line be-

Town of Baldwinville incorporated.

tween the town of Templeton and the town of Gardner, at the point where the Underwood pond outlet empties into the Otter river, is hereby incorporated into a separate town by the name of Baldwinville, and the said town of Baldwinville is hereby vested with all the powers, privileges, rights and immunities, and shall be subject to all the duties and requirements, to which other towns are entitled and subject, under the constitution and laws of the Commonwealth.

Payment of
taxes, etc.

SECTION 2. The inhabitants of and the estates within the town of Baldwinville, and the owners of such estates, shall be holden to pay all the arrears of taxes which have been legally assessed upon them by the town of Templeton, and all the taxes heretofore assessed and not collected shall be collected and paid to the treasurer of the town of Templeton, in the same manner as if this act had not been passed; and until the next state valuation the town of Baldwinville shall annually in the month of November pay to the town of Templeton its proportion of such state and county taxes as may be assessed upon said town of Templeton, said proportion to be ascertained and determined by the last valuation of said town of Templeton; and the assessors of the town of Templeton shall make return of said valuation and the proportion thereof in the towns of Templeton and Baldwinville, respectively, to the secretary of the Commonwealth and to the county commissioners of the county of Worcester.

Support and re-
lief of paupers.

SECTION 3. The towns of Templeton and Baldwinville shall be respectively liable for the support of all persons who now do or shall hereafter stand in need of relief as paupers, whose settlement was gained, whether by original acquisition or by derivation, within their respective limits; and the town of Baldwinville shall pay annually to the town of Templeton such proportion of all costs for the support or relief of those persons who now do or shall hereafter stand in need of relief or support as paupers, and whose settlement by original acquisition or by derivation was gained by reason of military service as a part of the quota of the town of Templeton, or who cannot be located on the site whence their settlement was derived or whereon it was acquired, as the valuation of the town of Baldwinville shall bear to that of the town of Templeton, according to the last state valuation prior to said relief and support.

SECTION 4. That part of the cemetery fund the income of which is to be applied to the care of the cemetery in Baldwinville, belonging to the town of Templeton, shall be paid to and become the property of said town of Baldwinville, and be managed and the income expended according to the intention of the original grant thereof.

Cemetery fund.

SECTION 5. Any debt already incurred or which may hereafter be incurred on account of the abolition of grade crossings within the territory of the said town of Baldwinville, as decreed by the superior court, shall be assumed and paid by the town of Baldwinville; and all suits and proceedings at law or equity arising from such abolition of grade crossings shall be instituted and prosecuted or defended by the town of Baldwinville, and the amount recovered in any such suit or proceeding by or against said town of Baldwinville shall be received or paid, as the case may be, by the town of Baldwinville; and the town of Baldwinville shall assume and pay any liability incurred heretofore by the town of Templeton in leasing Leland's Hall, Otter River, for town purposes.

Abolition of grade crossings, etc.

Leasing of Leland's Hall for town purposes.

SECTION 6. All suits and proceedings at law or in equity, other than those mentioned in section five of this act, where the cause of action in favor of or against the town of Templeton arose before the passage of this act, shall be instituted and prosecuted or defended by the town of Templeton, with the same effect as if this act had not been passed, and the amount recovered in any such suit or proceeding by or against said town of Templeton shall be received or paid, as the case may be, by the town of Templeton, and, including costs, expenses and counsel fees, shall be divided between the towns of Templeton and Baldwinville in proportion to the last valuation prior to the passage of this act.

Prosecution of suits, etc.

SECTION 7. The town of Baldwinville shall retain and own schoolhouses, school property, engine houses, and rights thereto, and fire apparatus heretofore owned by the town of Templeton, which are within its limits, without payment therefor to the town of Templeton, and the public debt of the town of Templeton, other than that mentioned in section five of this act, after deducting cash in treasury and debts due said town of Templeton, shall be divided between the towns of Templeton and Baldwinville in the proportion which the valuation of the town of Templeton bears to the valuation of the town of Bald-

Schoolhouses, fire apparatus, public debt, etc.

winville, said proportion to be ascertained and determined by the last valuation of the town of Templeton; and in case the town of Baldwinville cannot agree with the town of Templeton as to the amount of debt which it is to assume under this section said amount shall be determined by three commissioners to be appointed by the superior court for the county of Worcester, upon the application of either town and notice to the other, whose award when accepted by the said court shall be binding upon all parties.

Congressional,
councillor,
senatorial and
representative
districts.

SECTION 8. The town of Baldwinville shall, until otherwise provided by law, continue to be a part of the second congressional district, of the seventh councillor district, of the Worcester and Hampshire senatorial district, and the second representative district of Worcester county; and the inhabitants of said town of Baldwinville shall vote for each of said officers in the town of Baldwinville. The selectmen and clerk of said town of Baldwinville in each of said cases shall make returns as if said town had existed at the time of the formation of said district. The town of Baldwinville shall, until otherwise provided by law, continue to be a part of the judicial district of the First District Court of Northern Worcester. The town of Baldwinville shall continue as a part of the union of the towns of Templeton, Hubbardston, Phillipston and Royalston for the support of a superintendent of public schools.

Judicial district.

Superintendent
of public
schools.

First meeting
for election of
town officers.

SECTION 9. Any justice of the peace whose residence is in the town of Baldwinville may issue his warrant directed to any inhabitant of said town of Baldwinville, requiring him to notify and warn the inhabitants thereof, qualified to vote in town affairs, to meet at the time and place therein appointed, for the purpose of choosing all such officers as towns are by law authorized and required to choose at their annual meeting; and said warrant shall be served by posting copies thereof, attested by the person to whom the same is directed, in three or more public places in said town of Baldwinville, seven days at least before such time of meeting. Such justice or in his absence such inhabitant required to notify the meeting shall preside until the choice of moderator in said town meeting. The registrars of said town of Templeton shall, before said meeting, prepare a list of voters in said town of Baldwinville, qualified to vote at said meeting, and

List of voters to
be furnished.

shall deliver the same to the person presiding at such meeting before the choice of moderator thereof.

SECTION 10. All rights heretofore secured to existing corporations upon the territory hereby incorporated shall continue as though this act had not been passed.

Rights of certain corporations to continue.

SECTION 11. This act shall take effect upon its acceptance by a majority vote of the voters of said town of Templeton present and voting thereon in the several precincts of said town at any special election or legal meeting duly called for the purpose, but the number of such elections or meetings shall not exceed two. The first of such elections or meetings shall be called in the month of June in the year eighteen hundred and ninety-six, and if a subsequent election or meeting should be necessary it shall be called in the month of September in the year eighteen hundred and ninety-six. The selectmen of said town shall insert in the warrant for such election or meeting an article providing for a vote upon the question, "Shall the act to incorporate the town of Baldwinville be accepted?" The vote shall be by separate ballot and in accordance with what is commonly known as the Australian ballot or method of voting; and the ballot shall be printed in substantially the following form:—Shall the act to incorporate the town of Baldwinville be accepted? In taking said vote the check list shall be used.

When to take effect.

Form of ballot.

YES.	
NO.	

Approved April 11, 1896.

AN ACT TO AUTHORIZE THE ROMAN CATHOLIC CEMETERY ASSOCIATION TO CONVEY CERTAIN LANDS TO THE CITY OF MALDEN. Chap. 262

Be it enacted, etc., as follows:

SECTION 1. The Roman Catholic Cemetery Association, a corporation established by chapter two hundred and sixteen of the acts of the year eighteen hundred and sixty-eight, shall hereafter consist of John J. Williams, William Byrne and Richard Neagle, their associates and successors; with all the powers and subject to all the duties, restrictions and limitations set forth or referred to in said chapter.

The Roman Catholic Cemetery Association.

SECTION 2. Said corporation is hereby empowered to convey to the city of Malden the lands of said corporation laid out by said city of Malden as a public highway, containing about ninety-eight thousand seven hundred thirty-

May convey certain lands to city of Malden, etc.

eight square feet, and also to sell and convey all the lands of said corporation lying northerly of said highway so laid out; no part of said lands which said corporation is hereby empowered to convey to 'be ever used for the purposes of burial.

Approved April 11, 1896.

Chap. 263 AN ACT TO CHANGE THE NAME OF THE NEWTON CORNER METHODIST EPISCOPAL CHURCH.

Be it enacted, etc., as follows:

Name changed. SECTION 1. The name of the Newton Corner Methodist Episcopal Church is hereby changed to Newton Methodist Episcopal Church.

Gifts, bequests, etc. SECTION 2. All gifts, grants, bequests and devises heretofore or hereafter made to said corporation under either of said names shall vest in said Newton Methodist Episcopal Church.

SECTION 3. This act shall take effect upon its passage.

Approved April 11, 1896.

Chap. 264 AN ACT TO REGULATE THE SALE OF CONDENSED MILK.

Be it enacted, etc., as follows:

Sale, etc., of condensed milk regulated.

SECTION 1. No person shall sell or offer for sale or exchange in hermetically sealed cans any condensed milk or condensed skim milk, unless in cans which are distinctly labeled with the name of the person or company manufacturing said condensed milk or skim milk, the brand under which it is made, and the contents of the can.

Cans to be labeled, etc.

SECTION 2. Condensed milk sold from cans or packages not hermetically sealed shall be branded or labeled with the name of the manufacturer.

Penalty.

SECTION 3. Any person violating the provisions of this act shall be subject to the same penalties as for the adulteration of milk.

Approved April 11, 1896.

Chap. 265 AN ACT TO AUTHORIZE THE CITY OF BOSTON TO REIMBURSE CERTAIN FIREMEN FOR LOSSES SUSTAINED IN THE BURNING OF BUILDINGS BELONGING TO THE FIRE DEPARTMENT.

Be it enacted, etc., as follows:

Certain firemen to be reimbursed for loss of personal effects.

The city of Boston may reimburse the members of the fire department of said city for the loss of personal effects

caused by the burning of houses belonging to the fire department on the fifteenth day of May in the year eighteen hundred and ninety-four.

Approved April 11, 1896.

AN ACT RELATIVE TO THE APPOINTMENT OF ASSISTANT ASSESSORS
IN THE CITY OF NEW BEDFORD.

Chap. 266

Be it enacted, etc., as follows :

SECTION 1. The board of assessors at large of the city of New Bedford may annually, during the month of March, appoint, subject to confirmation by the city council, who shall fix their compensation per diem, such number of persons as said board shall determine to be necessary, who shall be styled assistant assessors, and who shall have the powers and perform the duties heretofore appertaining to assistant assessors in New Bedford, and who shall hold office for one year.

Assistant assessors in city of New Bedford, appointment, etc.

SECTION 2. Section five of chapter two of the acts of the year eighteen hundred and fifty-seven, in so far as it relates to assistant assessors in New Bedford, and all acts and parts of acts, in so far as they are inconsistent herewith, are hereby repealed.

Repeal.

SECTION 3. This act shall not take effect unless accepted by the inhabitants of New Bedford at the next annual municipal election.

When to take effect.

Approved April 13, 1896.

AN ACT RELATIVE TO PUBLIC PARKS IN THE TOWN OF ARLINGTON.

Chap. 267

Be it enacted, etc., as follows :

SECTION 1. The board of park commissioners of the town of Arlington, at any time within one year after the passage of this act, may take and hold, by purchase or otherwise, any and all such real estate and lands not exceeding thirty acres in extent as said board may deem advisable within that part of said town which is bounded by Spring street on the southwest, Highland avenue on the northwest, Gray street and the extension thereof to Highland avenue on the northeast, and Pleasant street on the southeast; and also any and all such real estate and lands not exceeding ten acres in extent as said board may deem advisable within that part of said town which is bounded on the southeast by Medford street from Chestnut street to Mt. Pleasant cemetery, and by said cemetery and other land of said town, on the east and northeast

May take certain lands, etc., for park purposes.

by lower Mystic pond and by land of Niles, on the north-west by Mystic and Chestnut streets from land of Niles to said Medford street, and may lay out, maintain and improve the same as a public park or parks.

Description of
lands, etc., to be
recorded.

SECTION 2. Said board shall, within sixty days after the taking of any lands and real estate as aforesaid under this act, otherwise than by purchase or gift, file and cause to be recorded in the registry of deeds of the southern district of the county of Middlesex a description thereof sufficiently accurate for identification, with a statement of the purpose for which the same were taken.

Damages.

SECTION 3. Said board shall estimate and determine all damages sustained by any person by the taking of land or by other acts of said board in the execution of the power vested in it by this act; but a person aggrieved by any such determination of said board may have his damages assessed by a jury of the superior court in the same manner as is provided by law with respect to damages sustained by reason of the laying out of ways. If upon trial damages are increased beyond the award the party in whose favor the award was made shall recover his costs; otherwise he shall pay costs, and the costs shall be taxed as in civil cases.

Fee of land to
vest in town,
etc.

SECTION 4. The fee of any land taken or purchased by said board for a park under this act shall vest in said town of Arlington; and said town shall be liable to pay all damages assessed or determined as provided in the preceding section and all costs and expenses incurred by said board of park commissioners in the execution of the powers vested in said board by this act.

Real estate
benefited may
be assessed
proportional
share of cost,
etc.

SECTION 5. At any time within two years after any land is taken or purchased for a park or parks under this act said board of park commissioners, if in its opinion any real estate in said town receives any benefit and advantage from such taking or purchasing, or from the locating or laying out of a park or parks under this act beyond the general advantage to all real estate in said town, may adjudge and determine the value of such benefit and advantage to any such real estate, and may assess upon the same a proportional share of the cost of land so purchased or taken and of the expense of laying out, grading and making such park or parks; but in no case shall the assessment exceed one half of the amount of such adjudged benefit and advantage. Said real estate

subject to such assessment may include the remainder of the land of which a part is taken for said public park or parks, and real estate which does not abut upon the park, from the laying out of which the betterments accrue, or upon a street or way bounded upon said park.

SECTION 6. Assessments made under the preceding section shall constitute a lien upon the real estate so assessed and shall be collected and enforced with the same rights to owners to surrender their estates, and the same proceedings thereupon and with the same rights of and proceedings upon appeal, as are provided by chapter fifty-one of the Public Statutes.

Assessments to constitute a lien upon real estate, etc.

SECTION 7. For the purpose of defraying the expenses incurred under the provisions of this act or under the provisions of chapter one hundred and fifty-four of the acts of the year eighteen hundred and eighty-two the board of selectmen of the town of Arlington shall have authority to issue from time to time, in excess of the limit allowed by law, scrip or bonds, to be denominated on the face thereof, Arlington Park Loan, to the amount of fifteen thousand dollars, and to a further amount not exceeding the sums hereafter appropriated by said town for the purchase or taking of lands for a park or parks, bearing interest at a rate not exceeding four per centum per annum, payable semi-annually, the principal to be payable at periods of not more than fifty years from the issuing of such scrip or bonds respectively. Said board of selectmen may sell the same from time to time or pledge the same for money borrowed for the above purposes; but the same shall not be sold or pledged for less than the par value. For the redemption of said loan said town at its next annual meeting or at any special meeting called for the purpose during the current year shall establish a sinking fund sufficient with the accumulating interest to provide for the payment of such loan at maturity. All premiums received on the sale of said bonds and scrip and all amounts received for betterments shall be paid into such sinking fund, until such fund shall amount to a sum sufficient with its accumulations to pay at maturity the bonds for the security of which the fund was established.

Arlington Park Loan.

Sinking fund.

SECTION 8. This act shall not be construed to limit the power of said board of park commissioners to take, in addition to the land herein specified, other lands in

Park commissioners may take certain other lands.

said town for park purposes, in accordance with the provisions of chapter one hundred and fifty-four of the acts of the year eighteen hundred and eighty-two.

Repeal.

SECTION 9. Chapter one hundred and thirteen of the acts of the year eighteen hundred and ninety-six is hereby repealed.

SECTION 10. This act shall take effect upon its passage.

Approved April 13, 1896.

Chap.268

AN ACT RELATIVE TO THE TAKING OF SCALLOPS.

Be it enacted, etc., as follows :

Taking of scallops restricted.

SECTION 1. Whoever at any time between the first day of April and the first day of October shall take scallops from any of the flats or waters of the state, or shall buy or sell or have in his possession any scallops, shall be punished by a fine of not less than twenty dollars nor more than fifty dollars for each offence.

Taking of seed scallops prohibited, etc.

SECTION 2. The taking of seed scallops from any of the flats or waters of the state is hereby prohibited, and whoever shall be convicted of taking such scallops shall be punished by a fine of not less than twenty dollars nor more than fifty dollars, but a person taking such scallop and immediately returning it alive to the flat or waters from which it was taken shall not be subject to such penalty.

Repeal.

SECTION 3. Chapter ninety-six of the acts of the year eighteen hundred and eighty-seven is hereby repealed.

Approved April 13, 1896.

Chap.269

AN ACT RELATIVE TO THE ISSUE OF NOTES, BONDS AND SCRIP BY CITIES AND TOWNS.

Be it enacted, etc., as follows :

1884, 129, § 1, amended.

SECTION 1. Section one of chapter one hundred and twenty-nine of the acts of the year eighteen hundred and eighty-four is hereby amended by inserting in the third line, after the word "Statutes", the words: — or under other existing provisions of law, — by inserting in the ninth line, after the word "twenty-nine", the words: — or acts in amendment thereof or in addition thereto, — and by striking out in the tenth and eleventh lines, the words "at a rate not exceeding six per cent. per annum", and inserting in place thereof the words: — at such rate

as it may deem proper, — so that said section as amended shall read as follows:— *Section 1.* Any city or town which has already incurred or shall hereafter incur a debt under the provisions of chapter twenty-nine of the Public Statutes, or under other existing provisions of law, may issue notes, bonds or scrip therefor, properly denominated on the face thereof, and signed by its treasurer and countersigned in case of a city by its mayor, and in case of a town by a majority of its board of selectmen, and within the limitations as to amount and time of payment prescribed in said chapter twenty-nine or acts in amendment thereof or in addition thereto, with interest payable semi-annually at such rate as it may deem proper; and may sell said notes, bonds or scrip at public or private sale, or use the same in payment of such debts upon such terms and conditions as it may deem proper, provided that said notes, bonds and scrip shall not be sold at less than par.

Issue of notes, bonds or scrip by cities and towns.

Notes, etc., may be sold at public or private sale, etc.

SECTION 2. This act shall take effect upon its passage.

Approved April 13, 1896.

AN ACT RELATIVE TO THE ADMISSION OF MUTUAL FIRE INSURANCE COMPANIES TO TRANSACT BUSINESS IN THIS COMMONWEALTH.

Chap. 270

Be it enacted, etc., as follows:

SECTION 1. The second paragraph of section seventy-eight of chapter five hundred and twenty-two of the acts of the year eighteen hundred and ninety-four is hereby amended by inserting in the tenth line, after the word "plan", the following words:—or that it possesses net cash assets of not less than one hundred thousand dollars or net cash assets of not less than fifty thousand dollars, with also invested assets of not less than one hundred thousand dollars and, in each case, with additional contingent assets of not less than three hundred thousand dollars, and,—so that said paragraph as amended will read as follows:—Second, It shall satisfy the insurance commissioner that it is fully and legally organized under the laws of its state or government to do the business it proposes to transact; that it has, if a stock company, a fully paid up and unimpaired capital, exclusive of stockholders' obligations of any description, of an amount not less than is required of similar companies formed under the provisions of this act, and, if a mutual company,

1894, 522, § 78, amended.

Certain mutual fire insurance companies to satisfy commissioner that they are legally organized, with sufficient capital, etc.

other than life, that it has net cash assets equal to the capital required of like companies on the stock plan; or that it possesses net cash assets of not less than one hundred thousand dollars or net cash assets of not less than fifty thousand dollars, with also invested assets of not less than one hundred thousand dollars and, in each case, with additional contingent assets of not less than three hundred thousand dollars, and that such capital or net assets are well invested and immediately available for the payment of losses in this Commonwealth; and that it insures on any single hazard a sum no larger than one tenth of its net assets.

SECTION 2. This act shall take effect upon its passage.

Approved April 13, 1896.

Chap. 271 AN ACT TO AUTHORIZE THE CITY OF BEVERLY TO INCUR INDEBTEDNESS BEYOND THE LIMIT FIXED BY LAW, FOR PARK PURPOSES.

Be it enacted, etc., as follows:

Beverly Park
Loan, Act of
1896.

SECTION 1. The city of Beverly, for the purpose of acquiring land for park purposes and for defraying the cost and expenses of constructing parks, is hereby authorized to issue from time to time notes, bonds or scrip, to an amount not exceeding fifty thousand dollars, to be denominated on the face thereof, Beverly Park Loan, Act of 1896, bearing interest at a rate not exceeding five per cent. per annum, payable semi-annually, the principal to be payable at periods of not more than thirty years from the date of issuing such bonds, notes or scrip respectively. Said city may sell said bonds, notes or scrip, or any part thereof, at public or private sale, provided that the same shall not be sold for less than the par value thereof.

Payment of
loan, etc.

SECTION 2. Said bonds shall be so issued that a proportionate part of the whole amount issued shall become due on the first day of July in the year eighteen hundred and ninety-seven, and thereafter a like proportionate amount shall become due each succeeding year, until the whole debt is extinguished. Said city shall, at the time of authorizing said loan, provide for the payment thereof in such annual payments as will extinguish the same within the time prescribed in this act; and when such proportionate amount to be paid each year shall be so

fixed the amount required thereby shall be assessed by the assessors of said city in each year thereafter until the debt incurred by the city for park purposes shall be extinguished, in the same manner as other taxes are assessed under the provisions of section thirty-four of chapter eleven of the Public Statutes.

SECTION 3. When authorized by the city council of said city, and on the request of the board of park commissioners, approved by the mayor, said bonds or certificates, to the amount requested, may be issued or sold and the proceeds thereof retained in the treasury of said city, and the cost and expenses incurred for the purposes aforesaid may be paid therefrom, subject to the provisions of chapter one hundred and fifty-four of the acts of the year eighteen hundred and eighty-two authorizing and regulating such expenditures.

Issue and sale of bonds, etc.

SECTION 4. The debt and loan authorized by this act shall not be reckoned in determining the authorized limit of indebtedness of said city under the provisions of section four of chapter twenty-nine of the Public Statutes and acts amendatory thereof and in addition thereto.

Not to be reckoned in determining debt limit.

SECTION 5. This act shall take effect upon its passage, but no expenditure shall be made and no liability incurred under the same unless this act shall first be accepted by a vote of two thirds of all the members of each branch of the city council of Beverly, within one year from the date of its passage.

When to take effect.

Approved April 13, 1896.

AN ACT TO PREVENT THE SALE OF ADULTERATED SPIRITUOUS OR INTOXICATING LIQUOR.

Chap. 272

Be it enacted, etc., as follows :

Section nine of chapter one hundred of the Public Statutes is hereby amended by striking out all of the third clause and inserting in place thereof the following : — Third, That no spirituous or intoxicating liquor shall be sold, exchanged or delivered, or exposed, offered or kept for sale, exchange or delivery, upon the premises described in any license, except such as is of good standard quality, and such as is free from any adulteration prohibited in the Pharmacopœia of the United States, and under the several acts relating to adulteration of food and drugs, for either a food or a drug. And if marked,

P. S. 100, § 9, amended.

Conditions of licenses for sale of intoxicating liquors.

labeled or represented as being the product of any foreign country it shall also be of the standard quality required for its legal sale for domestic use in the country of its reputed production. All such liquors as are sold, exchanged or delivered, or which are exposed or kept for sale, exchange or delivery, under a license of the sixth class, shall be of the quality required for their sale as drugs under the provision of the acts relating to the adulteration of food and drugs.

Approved April 13, 1896.

Chap. 273 AN ACT TO AUTHORIZE THE CITY OF BOSTON TO GRANT A PENSION TO JOHN ROGERS FORMERLY A POLICE OFFICER OF SAID CITY.

Be it enacted, etc., as follows :

City of Boston
may pension
John Rogers,
etc.

SECTION 1. The board of police for the city of Boston, with the approval of the mayor, may retire from the position of constable of the municipal court of the South Boston district of said city and place upon the pension roll of the police department, John Rogers, who was injured while in the discharge of his duty as a member of said department. The said Rogers shall be retired in the same manner and under the same restrictions, and shall receive a similar pension, as if he were at the time of retirement an officer of the regular police force of said city receiving the pay which he received on the first day of January of the current year.

When to take
effect.

SECTION 2. This act shall take effect when accepted by the city council of the city of Boston with the approval of the mayor. *Approved April 13, 1896.*

Chap. 274 AN ACT TO AUTHORIZE THE BOURNE IMPROVEMENT ASSOCIATION TO HOLD REAL ESTATE FOR THE BENEFIT OF THE PUBLIC.

Be it enacted, etc., as follows :

The Bourne
Improvement
Association may
hold real estate.

SECTION 1. The Bourne Improvement Association, a corporation organized under the general laws of the Commonwealth, is hereby authorized and empowered to hold such real estate in the town of Bourne as it may acquire by gift or purchase, for public reservations and other general public objects for the improvement of said town of Bourne.

SECTION 2. This act shall take effect upon its passage.

Approved April 13, 1896.

AN ACT RELATIVE TO THE WATER SUPPLY OF THE REFORMATORY PRISON FOR WOMEN. *Chap.275*

Be it enacted, etc., as follows :

SECTION 1. Section three of chapter three hundred and seventy of the acts of the year eighteen hundred and eighty-eight is hereby amended by striking out all of said section and inserting in place thereof the following : —

Section 3. The superintendent of the reformatory prison for women, with the approval of the commissioners of prisons, may appoint a watchman to protect the waters of said pond ; and in the performance of his duties under this act said watchman shall have the powers of the district police.

SECTION 2. This act shall take effect upon its passage.

Approved April 13, 1896.

1888, 370, § 3,
amended.

Protection of
water supply of
reformatory
prison for
women.

AN ACT TO RESTRICT THE USE OF TUBERCULIN.

Chap.276

Be it enacted, etc., as follows :

Section fourteen of chapter four hundred and ninety-six of the acts of the year eighteen hundred and ninety-five is hereby amended by striking out in the first and second lines, the words “ eighteen hundred and ninety-six ”, and inserting in place thereof the words : — eighteen hundred and ninety-seven, — so that the section as amended will read as follows : — *Section 14.* Until June first eighteen hundred and ninety-seven the use of tuberculin as a diagnostic agent for the detection of the disease known as tuberculosis in domestic animals shall be restricted to cattle brought into the Commonwealth from any point without its limits, and to all cattle held in quarantine at Brighton, Watertown and Somerville : *pro-*

vided, however, that tuberculin may be used as such diagnostic agent on any animal or animals in any other portion of the state upon the consent in writing of the owner or person in possession thereof, and upon any animals condemned as tuberculous upon physical examination by a competent veterinarian.

Approved April 13, 1896.

1895, 496, § 14,
amended.

Use of tuber-
culin restricted.

Proviso.

AN ACT RELATIVE TO LOANS BY CO-OPERATIVE BANKS.

Chap.277

Be it enacted, etc., as follows :

SECTION 1. Section ten of chapter one hundred and seventeen of the Public Statutes, as amended by section

P. S. 117, § 10,
etc., amended.

Loans by
co-operative
banks.

Investment of
unsold money,
etc.

one of chapter seventy-eight of the acts of the year eighteen hundred and ninety, is hereby amended by striking out all of said section and inserting in place thereof the following:—*Section 10.* The moneys accumulated, after due allowance for all necessary expenses and the cancellation of shares, shall at each stated monthly meeting be offered to the members according to the premiums bid by them for priority of right to a loan. Each member whose bid is accepted shall be entitled upon giving proper security to receive a loan of two hundred dollars for each unpledged share held by him, or such fractional part of two hundred dollars as the by-laws may allow. If any money so offered for sale remains unsold the directors may invest the same in any of the securities named in the second clause of section twenty-one of chapter three hundred and seventeen of the acts of the year eighteen hundred and ninety-four, or may loan the same upon first mortgages of real estate situated in this Commonwealth, upon the conditions imposed upon co-operative banks, or may loan the same upon the shares of the bank in sums not exceeding their value at the adjustment next preceding the time of the loan, provided that the loans in either case shall be at the highest rate at the next preceding monthly sale of moneys, and further provided that in either case a note shall be given as required by section thirteen of chapter one hundred and seventeen of the Public Statutes.

SECTION 2. This act shall take effect upon its passage.

Approved April 13, 1896.

Chap. 278 AN ACT TO PROVIDE AN ADDITIONAL WATER SUPPLY FOR THE CITY OF PITTSFIELD.

Be it enacted, etc., as follows:

May take cer-
tain waters,
lands, etc.

SECTION 1. The city of Pittsfield is hereby authorized by and through the agency of its board of public works, to take the waters of Smith brook and of May brook, in said city and in the town of Hancock, and the waters which flow into and from said brooks, and to convey the same to, into and through said city, for the purpose of furnishing an additional supply of water for said city and for public purposes; and for this purpose to take, by purchase or otherwise, any lands on or around said brooks, and any waters and water rights connected therewith, and

to build and maintain all necessary dams and reservoirs, and to lay and maintain all necessary pipes, conduits and ditches to connect the same with its present water works.

SECTION 2. Said city shall pay all damages sustained by any person or corporation in property by reason of such taking, and any person or corporation sustaining damages as aforesaid, who fails to agree with the board of public works of said city as to the amount of damages sustained, may have the damages assessed and determined in the manner provided by law when land is taken for the laying out of highways, on application at any time within the period of two years from the taking of such land or other property.

Damages.

SECTION 3. The provisions of section nine of chapter two hundred and ten of the acts of the year eighteen hundred and fifty-two shall, so far as the same are applicable, apply to all water taken and to all structures made and property acquired or taken by said city under this act; and all the rights, privileges and remedies therein conferred upon the Pittsfield Fire District shall vest in and be exercised and enjoyed by the city of Pittsfield.

1852, 210, § 9, to apply, etc.

SECTION 4. The said city may for the purpose of paying the necessary expenses and liabilities incurred under the provisions of this act incur indebtedness from time to time to an amount not exceeding one hundred thousand dollars, and may issue bonds, notes or scrip therefor. Such bonds, notes or scrip shall bear on the face thereof the words, Pittsfield Water Loan, Act of 1896, shall be payable at the expiration of periods not exceeding thirty years from the date of issue, and shall bear interest payable semi-annually at a rate not exceeding six per cent. per annum. Said city shall provide that at least four thousand dollars shall be due and payable upon the principal of said indebtedness each year. The said city may authorize temporary loans to be made by its mayor and treasurer in anticipation of the issue of bonds, notes and scrip hereby authorized, or in anticipation of the payments to be made.

Pittsfield Water Loan, Act of 1896.

SECTION 5. The city council of said city may by vote determine that the principal and interest of any bonds issued under the provisions of the preceding section shall be payable in gold coin equal to present value in fineness and weight.

Payment of loan.

When to take effect.

SECTION 6. This act shall not take effect until accepted by a two thirds vote of all the members of each branch of the city council of said city, taken by yeas and nays and approved by the mayor of said city.

Approved April 14, 1896.

Chap. 279 AN ACT RELATIVE TO THE BURIAL OF DECEASED INDIGENT SOLDIERS, SAILORS OR MARINES WHO SERVED IN THE ARMY OR NAVY OF THE UNITED STATES DURING THE WAR OF THE REBELLION, AND TO THE BURIAL OF THEIR WIVES AND WIDOWS.

Be it enacted, etc., as follows:

Burial of deceased indigent soldiers, etc.

SECTION 1. It shall be the duty of the mayor of each city and of the selectmen of each town of the Commonwealth to designate some suitable person or persons as a burial agent, who shall serve without compensation, and shall be other than the overseers of the poor or those employed by them, whose duty it shall be, under regulations established by the commissioners of state aid, to cause to be properly interred the body of any honorably discharged soldier, sailor or marine who served in the army or navy of the United States during the war of the rebellion, between the years eighteen hundred sixty-one and eighteen hundred sixty-five, and the wives and widows of the same in case such soldier, sailor or marine or such wives or widows die without leaving sufficient means to defray funeral expenses: *provided, however,* that no wife or widow of any soldier, sailor or marine above-described shall be eligible to receive the benefits of this act unless she was married to him prior to his final discharge from the service aforesaid. Where an interment has taken place without the knowledge of the burial agent application may be made to him within one week from the date of death, and if upon investigation he shall find that the deceased was eligible under the law and the rules of the commissioners of state aid to receive the benefits of this act he may make return of the same in the manner prescribed for other cases.

Proviso.

Place of burial, expense, etc.

SECTION 2. The expense of such burial shall not exceed the sum of thirty-five dollars. Such burial shall not be made in any cemetery or burial ground used exclusively for the burial of the pauper dead, or in that portion of any burial ground so used. In case relatives of the deceased who are unable to bear the expense of

burial desire to conduct the funeral, they may be allowed to do so, and the expense shall be paid as herein provided. When any sum shall have been expended under and according to this act the full amount so expended, the name of the deceased soldier, sailor or marine, the name of the regiment, company or vessel in which he served, the date of death, place of interment, and in case of a wife or widow the name of the husband and date of marriage, with such other details as the commissioners of state aid may require, shall be certified under oath to said commissioners, in such manner as may be approved by them, by the burial agent and treasurer of the city or town expending the same, within ninety days after the burial; and said commissioners shall examine the certificates thus returned and allow and endorse upon the same such sums as in their judgment have been paid and reported according to this act, and transmit the same to the auditor. The sums legally paid as aforesaid and so allowed and endorsed by said commissioners, but with no expense for the disbursement of the same, shall be reimbursed from the treasury of the Commonwealth to the several cities and towns which have expended the same, on or before the first day of December in the year next after the year in which the expenditures have been made.

Certain details to be certified to commissioners of state aid.

Cities and towns to be reimbursed.

SECTION 3. Chapter three hundred and ninety-five of the acts of the year eighteen hundred and eighty-nine, chapter one hundred and eighty-four of the acts of the year eighteen hundred and ninety-two, and chapter sixty-two of the acts of the year eighteen hundred and ninety-four are hereby repealed. *Approved April 14, 1896.*

Repeal.

AN ACT RELATIVE TO TEMPORARY LOANS BY FIRE DISTRICTS.

Chap. 280

Be it enacted, etc., as follows:

SECTION 1. Fire districts may by ordinary vote incur debts for temporary loans in anticipation of the taxes of the municipal year in which such debts are incurred, and in anticipation of receipts from water rates due in such year, and expressly made payable from such taxes and water rates by vote of the fire district.

Fire districts may incur debts for temporary loans.

SECTION 2. This act shall take effect upon its passage.

Approved April 14, 1896.

Chap. 281 AN ACT RELATIVE TO A WATER SUPPLY FOR FIRE DISTRICT NUMBER ONE IN GREENFIELD.

Be it enacted, etc., as follows :

Taking of lands,
water rights,
etc.

SECTION 1. Fire District Number One in the town of Greenfield may exercise the rights, powers and authority given to it by chapter three hundred and thirty-five of the acts of the year eighteen hundred and ninety-five, entitled "An Act to authorize Fire District Number One in Greenfield to increase its water supply", subject to the duties, liabilities and restrictions therein and herein contained, for the purpose of taking lands, rights of way, water rights, water sources or easements, parcel of or appurtenant to land of the inhabitants of the town of Greenfield known as the Town Farm, and situated in said Greenfield, at any time within ninety days after the passage of this act, in the same manner as, and with the same effect as, if no entry upon and occupation of said lands, rights of way, water rights, water sources or easements had been heretofore made by said fire district.

Description of
lands, etc.,
to be recorded.

SECTION 2. Said fire district shall, within sixty days after the taking of any lands, rights of way, water sources or easements as aforesaid, file and cause to be recorded in the registry of deeds for the county of Franklin a description thereof sufficiently accurate for identification, with a statement of the purpose for which the same were taken, signed by the chairman of the prudential committee of said fire district.

Certain acts of
fire district con-
firmed, etc.

SECTION 3. From and after such time as said fire district shall have taken, under the provisions of this act, lands, rights of way, water rights, water sources or easements, and shall have filed and caused to be recorded a description thereof and statement as hereinbefore provided, such taking shall be deemed to be, and shall be, valid to all intents and purposes, as if the same had been done in the manner and within the time prescribed in chapter three hundred and thirty-five of the acts of the year eighteen hundred and ninety-five; and for that purpose and to that extent all acts of said fire district, its officers, committees and agents, hereinbefore done in entering upon and occupying lands, rights of way, water rights, water sources and easements, parcel of or appurtenant to land of the inhabitants of the town

of Greenfield known as the Town Farm, situated in said Greenfield, for the purposes authorized by said chapter three hundred and thirty-five of the acts of the year eighteen hundred and ninety-five, are hereby ratified and confirmed: *provided, however*, that this act shall not be construed so as to deprive said inhabitants of the town of Greenfield or any person of any existing remedy at law, in equity, or under said chapter three hundred and thirty-five, for damages sustained in consequence of acts heretofore done as aforesaid by said district, its officers, committees or agents. Proviso.

SECTION 4. Said fire district shall exercise the rights, powers and authority given by this act, subject to the duties, liabilities and restrictions herein contained, in such manner and by such agents and officers as said district shall from time to time determine. Rights, powers, etc.

SECTION 5. The powers specified in this act shall be held to be in addition to all powers heretofore granted to said fire district. Additional powers.

SECTION 6. This act shall take effect upon its passage.

Approved April 14, 1896.

AN ACT RELATIVE TO THE CONSTRUCTION OF A SYSTEM OF SEWER-
AGE FOR THE TOWN OF ARLINGTON.

Chap. 282

Be it enacted, etc., as follows:

SECTION 1. The vote of the town of Arlington, passed on the first day of July in the year eighteen hundred and ninety-five, adopting a system of sewerage for a part of the town, and fixing, at the rates hereinafter stated, the assessment or charge to be paid by the abutters and the town, and the action of the board of sewer commissioners in taking lands for the purpose of constructing and establishing said system, and of laying, making and maintaining common sewers, and the vote of the town passed on the nineteenth day of September in the year eighteen hundred and ninety-five, accepting and allowing said takings, and also the vote of the town passed on the fourteenth day of November in the year eighteen hundred and ninety-five, adopting a system of sewerage for the remainder of said town, are hereby ratified and confirmed, and said board of sewer commissioners are hereby authorized to construct, maintain and operate such systems of sewerage and sewage disposal, and to lay, make and Certain proceedings of town of Arlington, etc., confirmed.

May construct system of sewerage, etc.

maintain such common sewers, as said board may from time to time deem necessary for the purpose of disposing of its sewage through the metropolitan sewer, as provided by chapter four hundred and thirty-nine of the acts of the year eighteen hundred and eighty-nine, including sewage from the whole or any part of the town of Lexington, in case said town of Lexington contracts therefor; said board may also construct, maintain and operate such works as they may deem necessary in connection with said systems; and said board, for the purpose of providing better surface or other drainage for any part or parts of said town, guarding against pollution of waters, and otherwise protecting the public health, may lay, make and maintain such main drains as they deem best, may deepen, widen and clear of obstructions any brook, stream or water course within the limits of said town, and straighten, alter or divert the courses or channels thereof.

May lay main drains, etc.

May take lands, water rights, etc.

SECTION 2. Said board of sewer commissioners, acting in behalf of said town, shall have full power to take from time to time, by purchase or otherwise, any lands, water rights, rights of way or easements in said town, public or private, of any persons or corporations, necessary for constructing, maintaining and operating such system or systems of sewerage and sewage disposal, for laying, making and maintaining common sewers and main drains, or for any of the purposes mentioned in section one; and may construct such sewers and drains under or over any water course, bridge, railroad, street, highway or other way, in such manner as not unnecessarily to obstruct the same; and may enter upon and dig up any private land, street or way for the purpose of constructing said systems, laying such sewers and drains, and maintaining and repairing the same; and may do any other thing necessary or proper in carrying out the purposes of this act.

May dig up private land, etc.

Description of lands, etc., to be recorded.

SECTION 3. When lands, water rights, rights of way or easements are so taken, in any other manner than by purchase or agreement, said board of commissioners shall within thirty days of said taking cause to be recorded in the registry of deeds for the county of Middlesex, southern district, a description of the same as certain as is required in a conveyance of land, with a statement of the purpose for which the same are taken, signed by a

majority of said board; and the fee in the lands, rights of way or easements so taken or purchased shall vest in said town of Arlington. All damages which shall be sustained by any person or corporation by reason of such taking, or through any action of said board under this act, shall be paid by said town. If the damages are not agreed upon a jury in the superior court of said county may be had to determine the same, in the same manner as in case of lands taken for highways; but in the case of a taking no suit shall be brought after two years from the date of the recording of such taking as herein required. All takings made in substantially the following form shall be valid:—“The board of sewer commissioners for the town of Arlington, in the Commonwealth of Massachusetts, acting herein under the authority given by chapter of the acts of the year , hereby take for and in behalf of said town, and for the purpose of (constructing and operating a system of sewers and sewage disposal) or of (laying, making and maintaining a main drain or a common sewer) or of (here state any of the purposes for which takings may be made) a certain parcel of land situated in said Arlington, bounded as follows (here give the description with as much accuracy as is needed in an ordinary conveyance of land) said premises being owned or supposed to be owned by of in the state of ; also the following described rights of way or easements in said town (here describe the rights or easements taken, and also describe sufficiently for their identification the premises over or through which said rights or easements are taken, and state the ownership or supposed ownership of said premises).”

Damages.

Form for taking of land.

SECTION 4. In every case of a petition for the assessment of damages or for a jury said town of Arlington may at any time file an offer in writing, with the other papers in the case, to pay the petitioner a sum therein specified as damages; and if he does not accept the same within ten days after notice of such offer, and does not finally recover a greater sum than that offered, not including interest from the date of the offer on the sum so recovered, the town shall recover costs from said date; and if the petitioner does not recover damages in a greater sum than that allowed as aforesaid he shall be entitled to costs only to the date of the offer.

Town may offer a specified sum as damages, etc.

Apportionment
of expense, etc.

SECTION 5. The owners of estates benefited and abutting on streets or ways, public or private, in which sewers have been laid or shall hereafter be laid, under said votes or under the provisions of this act, shall pay to said town towards defraying the cost of such sewers, systems of sewerage and sewage disposal an assessment or charge as follows: Twenty-eight cents per running foot frontage on the street or way on which a sewer is constructed, and fifty-two one hundredths of a cent per square foot area within a depth of one hundred feet from the line of such street or way, the area of corner lots being measured to the line bisecting the angle formed by the streets; but no estate shall be deemed benefited unless or until a sewer is constructed into which it can be drained. The remainder of the cost of said system or systems shall be borne by the town. No particular or other sewer from any estate or part of an estate, not already assessed or not liable to assessment or charge, as provided above, shall be entered into a common sewer, except upon the payment of such an assessment or charge, and upon such other terms and conditions as the board of sewer commissioners shall fix and determine.

Payment, etc.,
of assessments.

SECTION 6. Upon the completion of a sewer in any street or way, or portion of a street or way, public or private, included within any systems now constructed or hereafter to be constructed, and when the same is ready for use, the board of sewer commissioners may file a certificate with the town treasurer, designating the street or way, or portion of the street or way, in which the sewer has been completed, and setting forth the names of the owners of the estates abutting and benefited, and the amount of assessment or charge to be paid by each, and referring to a plan on file in the town clerk's office, or in such other office as the board shall determine, which plan shall show the frontage, the area assessed, the name of the owner and the amount of the assessment of each estate abutting and benefited on said street or way; and the treasurer shall forthwith, upon the receipt of such certificate, make a demand in writing for the payment of said assessments or charges, and every such owner shall within three months after such demand is served on him or on the occupants of his estate, or sent by mail to the last address of said owner known to the town treasurer, pay the sum so assessed or charged, to the town

treasurer: *provided*, that said board shall, on the written request of any such owner made within said three months, apportion such assessment or charge into such number of equal parts or instalments; not exceeding ten, as said owner shall state in such request, and they shall certify such apportionment to the assessors; interest from the date of said apportionment at the rate of five per cent. per annum shall be added to each of said assessments or charges until they are paid, and one of said parts shall be added by the assessors to the annual tax on such estates for each year next ensuing, until all said parts have been so added, unless sooner paid, as hereinafter provided; and *provided, further*, that nothing herein contained shall be construed to prevent the payment at any time in one payment, notwithstanding its prior apportionment, of any balance of said assessments or charges then remaining unpaid; but interest on such balance at the rate of five per cent. per annum shall be paid to the date of such payment; and thereupon the town treasurer shall receive the same and shall certify such payment or payments to the assessors, who shall preserve a record thereof.

SECTION 7. The assessment or charge under section five shall constitute a lien upon the estate, which shall continue for three years after said certificate is made and filed and demand is served as above-provided, or, in case of apportionment, until the expiration of two years from the time the last instalment is committed to the collector; and said assessment, together with interest at the rate of five per cent. per annum, may, with incidental costs and expenses, be levied by sale of such estate or so much thereof as shall be sufficient to discharge the assessment and interest and intervening charges; if the assessment is not paid within three months after service of said notice, or, if apportioned, within three months after any part has become due, such sale and all proceedings connected therewith shall be conducted in the same manner as sales for the non-payment of taxes; and real estate so sold may be redeemed the same as if sold for the non-payment of taxes, and in the same manner, such assessment or parts thereof may also be collected by an action of contract, in the name of the town of Arlington, against the owner of said estate, brought at any time within three years after the same has become due.

Assessment to constitute a lien upon estate, etc.

May be collected by an action of contract.

Persons
aggrieved may
apply for a
jury.

SECTION 8. Any person aggrieved by such assessment may, at any time within three months after service of the demand mentioned in section six of this act, apply to the superior court of said county for a jury to revise the same; but before making such application he shall give fourteen days' notice in writing of his intention so to do to the said commissioners, and shall therein particularly specify his objection to the assessment, to which specification he shall be confined before the jury.

Arlington
Sewerage Loan

SECTION 9. The town of Arlington, for the purpose of paying the necessary expenses and liabilities incurred under this act for the construction, maintenance and operation of a system or systems of sewerage and sewer disposal and of other works in connection therewith, may incur indebtedness, and may issue from time to time, as may be required therefor, bonds, notes or scrip to an amount not exceeding one hundred thousand dollars outside the limit of indebtedness fixed by law for said town; and the provisions of section four of chapter twenty-nine of the Public Statutes as amended by chapter three hundred and twelve of the acts of the year eighteen hundred and eighty-five shall not apply to any debt created under the authority conferred by this act. Such bonds, notes or scrip shall bear on their face the words, Arlington Sewerage Loan, shall be payable within such periods, not exceeding forty years from the issuing of such bonds, notes or scrip, respectively, and bear interest payable semi-annually at such rate, not exceeding five per cent. per annum, as the board of selectmen of said town may determine. The town of Arlington may sell such securities or any part thereof from time to time at public or private sale, or pledge the same for money borrowed for the purposes of this act, provided that they shall not be sold or pledged for less than the par value thereof; and said town shall retain the proceeds thereof in the treasury, and the treasurer shall pay therefrom the expenses incurred for the purposes aforesaid; but the premiums, if any, received on the sale of such bonds, notes or scrip shall be paid over to the board of sinking fund commissioners and be placed in the sinking fund of said town of Arlington created for the payment of the loan herein authorized.

Payment of
loan, etc.

SECTION 10. The receipts from assessments, payments in lieu thereof, and all other receipts under this

act, shall be applied by the board of sewer commissioners to the construction, maintenance and operation of said system or systems of sewerage and sewage disposal, except that said board may apply any portion of such receipts to the payment of interest upon the bonds, notes or scrip issued under the authority of this act, or into the sinking fund which may be established for the payment and redemption of said bonds, notes and scrip, as provided in section nine of chapter twenty-nine of the Public Statutes, or to reimburse the town for payments made by it for the construction, maintenance and operation of said metropolitan sewer. All further sums necessary in any year to pay the interest on said bonds, notes and scrip, and to meet the requirements of law as to said sinking fund, shall be raised by said town by taxation, in the same manner as money is appropriated and assessed for other town purposes. Said sinking fund shall be used for no other purposes than the payment and redemption of said debt. Except as herein otherwise provided the provisions of chapter twenty-nine of the Public Statutes and chapter one hundred and twenty-nine of the acts of the year eighteen hundred and eighty-four, so far as applicable, shall apply to the issue of bonds, notes and scrip, and to the establishment of a sinking fund for the payment thereof at maturity. The sinking funds of any loan of said town of Arlington may be invested in said bonds, notes or scrip.

Payment of
loan, etc.

P. S. 29, etc., to
apply.

SECTION 11. Said board of commissioners may from time to time prescribe rules and regulations for the inspection of materials, construction, alteration or use of all particular sewers entering into common sewers, and may impose penalties, not exceeding twenty dollars, for each violation of any such rule or regulation. Such rules or regulations shall be published not less than once a week for three successive weeks in such newspaper published in the county of Middlesex as the board of sewer commissioners shall order, and shall not take effect until such publication has been made.

Rules, regu-
lations and
penalties.

SECTION 12. The town of Arlington may contract with the town of Lexington for the use of the sewers of the town of Arlington as an outlet for the sewage from the whole or any part of the town of Lexington into the metropolitan sewer; and if said towns cannot agree as to the compensation to be paid for the use of said sewers by the

May contract
with Lexington
for use of
sewers, etc.

town of Lexington in case of such use, said towns shall submit the question of the amount of such compensation to arbitration.

Certain provisions of law to apply.

SECTION 13. All the provisions of chapter fifty of the Public Statutes and of acts in amendment thereof or in addition thereto, pertaining to sewers and drains, also of chapter two hundred and forty-five of the acts of the year eighteen hundred and ninety-two, so far as the same are not inconsistent with this act, shall apply to the town of Arlington, in carrying out the provisions of this act.

SECTION 14. This act shall take effect upon its passage.

Approved April 14, 1896.

Chap. 283

AN ACT TO AMEND THE CHARTER OF THE CITY OF LOWELL.

Be it enacted, etc., as follows:

Certain powers to vest in board of police.

SECTION 1. All the powers vested by existing laws in the mayor and aldermen or board of aldermen of the city of Lowell, in relation to licensing, regulating and restraining theatrical exhibitions, public shows and public amusements, billiard tables, bowling alleys, auctioneers, hawkers and peddlers, carriages, wagons and other vehicles, intelligence offices, itinerant musicians, pawnbrokers, dealers in secondhand articles and junk collectors and dealers, and generally all the powers and authority of said mayor and aldermen and said board of aldermen in relation to the granting and revocation of licenses for engaging in any and all of the above-mentioned trades and occupations shall hereafter vest in and be exercised by the board of police of said city of Lowell.

Force and effect of licenses granted by board of police.

SECTION 2. All licenses granted in pursuance of section one of this act by the board of police of the city of Lowell shall have the same force and effect as similar licenses heretofore granted by the mayor and aldermen or board of aldermen of said city.

Granting of licenses, etc.

SECTION 3. All licenses granted by said board of police shall be signed by a majority of said board, and a record thereof shall be kept by said board, and all duties in relation to said licenses which by the laws in force prior to the passage of this act are required to be performed by the city clerk of said city shall be performed by the clerk of said board.

SECTION 4. All fees received by said board for licenses Fees. granted under the provisions of this act shall be turned over to the treasurer of said city monthly.

SECTION 5. Nothing herein contained shall be construed to revoke any license heretofore granted by the mayor and aldermen or board of aldermen of said city under the provisions of any law in force prior to the passage of this act. Certain licenses to remain in force.

SECTION 6. All acts and parts of acts inconsistent herewith are hereby repealed. Repeal.

Approved April 14, 1896.

AN ACT RELATIVE TO EXCAVATIONS, FILLINGS AND CONSTRUCTIONS IN TIDE WATERS FOR THE PURPOSES OF THE PUBLIC PARKS OF THE CITY OF BOSTON. *Chap.284*

Be it enacted, etc., as follows:

SECTION 1. All excavations, fillings and structures in the tide waters of the Commonwealth, to be made by the city of Boston for the purposes of its public parks, and heretofore approved by the board of harbor and land commissioners, may be continued and carried out to the extent of such approval, whether the time within which they should have been completed has or has not expired. Excavations, etc., in tide waters, by city of Boston.

SECTION 2. This act shall take effect upon its passage.

Approved April 14, 1896.

AN ACT RELATIVE TO THE FORFEITURE OF SHARES IN CO-OPERATIVE BANKS. *Chap.285*

Be it enacted, etc., as follows:

SECTION 1. Section fifteen of chapter one hundred and seventeen of the Public Statutes is hereby amended by striking out in the ninth line, the words "the first default", and inserting in place thereof the word:—forfeiture,—also by striking out at the end of the section the words "first default", and inserting in place thereof the word:—forfeiture,—so as to read as follows:—

Section 15. Members who make default in the payment of their monthly dues, interest, and premiums, shall be charged a fine not exceeding two per cent. a month on each dollar in arrears. No fines shall be charged after the expiration of six months from the first lapse in any such payment, nor upon a fine in arrears. The shares of a member who continues in arrears more than six P. S. 117, § 15, amended. Fines and forfeiture of shares in co-operative banks.

Fines and forfeiture of shares in co-operative banks.

months shall, at the option of the directors, if the member fails to pay the arrears within thirty days after notice, be declared forfeited, and the withdrawing value of the shares at the time of forfeiture shall be ascertained, and, after deducting all fines and other legal charges, the balance remaining shall be transferred to an account to be designated the "Forfeited Share Account" to the credit of the defaulting member. Said member, if not a borrower, shall be entitled upon thirty days' notice to receive the balance so transferred without interest from the time of the transfer, in the order of his turn, out of the funds appropriated to the payment of withdrawals. All shares so forfeited or transferred shall cease to participate in any profits of the corporation accruing after the last adjustment and valuation of shares before said forfeiture.

To take effect June 1, 1896.

SECTION 2. This act shall take effect June first, eighteen hundred and ninety-six. *Approved April 14, 1896.*

Chap. 286

AN ACT RELATIVE TO THE TRANSACTION OF THE BUSINESS OF CO-OPERATIVE BANKING BY FOREIGN CORPORATIONS.

Be it enacted, etc., as follows :

1890, § 2, repealed.

Proviso.

SECTION 1. Section two of chapter three hundred and ten of the acts of the year eighteen hundred and ninety is hereby repealed: *provided, however,* that any association or corporation which at the passage of this act is duly licensed by the board of commissioners of savings banks to transact business in this Commonwealth, under the provisions of said section, may be allowed to continue business, subject to all the conditions and restrictions of such license and the provisions of said chapter three hundred and ten as existing previous to the passage of this act.

SECTION 2. This act shall take effect upon its passage.

Approved April 14, 1896.

Chap. 287

AN ACT TO AUTHORIZE THE TOWN OF HYDE PARK TO CONSTRUCT A SYSTEM OF SEWERAGE AND TO PROVIDE FOR THE PAYMENT THEREFOR.

Be it enacted, etc., as follows :

May construct, etc., a system of sewerage, etc.

SECTION 1. The town of Hyde Park is hereby authorized, through a board of commissioners to be elected as hereinafter provided, to lay out, construct, maintain and

operate a system or systems of main drains and common sewers for a part or for the whole of its territory, and such connections and other works as may be required for a system of sewage disposal for said town, to be constructed, maintained and operated in connection with the main sewers and other works required to be constructed, maintained and operated as provided by chapter four hundred and six of the acts of the year eighteen hundred and ninety-five, or in connection with the sewerage system of the city of Boston as hereinafter specified and provided; and said board, for the purpose of providing better surface or other drainage for any part or parts of said town, guarding against pollution of waters, and otherwise protecting the public health, may lay, make and maintain such main drains as they deem best, may deepen, widen and clear of obstructions any brook, stream or water course within the limits of said town, and straighten, alter or divert the courses or channels thereof.

May lay main drains, etc.

SECTION 2. Said board shall consist of three commissioners, to be called the Board of Sewer Commissioners of the Town of Hyde Park, who shall be citizens and residents in said town and shall be elected by ballot at a special meeting or at an annual meeting of said town, one commissioner to hold office for one year, one for two years and one for three years, respectively, from the date of the annual town meeting next succeeding the date of his election or until his successor is elected and qualified; and at each annual town meeting thereafter said town shall elect one member of said board to serve for three years or until his successor is elected and qualified. If a vacancy shall occur in said board said town may, at a meeting called for the purpose, elect a person duly qualified to fill said vacancy.

Sewer commissioners, election, terms, etc.

Vacancy.

SECTION 3. Said board of commissioners, acting for and in behalf of said town, shall have full power to take by purchase or otherwise any lands, water rights, rights of way or easements in said town, public or private, of any persons or corporations, necessary for the establishment of such systems of main drains and sewers and sewage disposal, or for any of the purposes mentioned in section one of this act, and may divert streams and water courses, and may construct such main drains and sewers under or over any water course, bridge, railroad,

May take lands, water rights, etc.

May divert streams, dig up private land, etc.

highway, boulevard or other way, and may enter upon and dig up any private land, street or way, for the purpose of laying such main drains and sewers beneath the surface thereof, and of maintaining and repairing the same, and may do any other thing necessary or proper for the purposes of this act.

Description of
lands, etc., to be
recorded.

SECTION 4. Said board, in order to take any lands in fee, water rights, rights of way or easements otherwise than by purchase or agreement, shall cause to be recorded in the registry of deeds for the county of Norfolk a statement signed by a majority of said board, containing a description thereof, as certain as is required in a conveyance of land, and specifying therein that the same are taken under the authority of this act; and upon such recording the title in the lands, water rights, rights of way or easements described in such statement shall vest in said town of Hyde Park, which shall pay all damages therefor. Said board at the time of such taking shall notify the owners thereof in writing and may agree with the person or corporation injured upon the damages sustained by any such person or corporation, for any taking of property or rights for the purposes aforesaid, and if the damages are not agreed upon a jury in the superior court for said county may be had, upon petition of the aggrieved party, to determine the same, in the manner provided by law for determining the damages to be paid for land taken for highways; but no suit or petition shall be brought after two years from the date of the recording of the taking as herein provided.

Damages.

Town may offer
a specified sum,
etc.

SECTION 5. In every case of a petition for the assessment of damages or for a jury said town may at any time file in the office of the clerk of said court an offer in writing to pay the petitioner a sum therein specified as damages; and if said petitioner does not accept the same within ten days after notice of such offer, and does not finally recover a sum greater than that offered, not including interest from the date of offer on the sum so recovered, the town shall recover costs from the date of said notice, and the petitioner if he recover damages shall be entitled to costs only to said date.

Apportionment
of expense,
payment of
assessments,
etc.

SECTION 6. The town of Hyde Park shall by vote determine what proportion of the cost of said system or systems of sewerage and sewage disposal said town shall pay, provided that it shall not pay less than one third nor

more than one half of the whole cost. The remaining cost of said systems shall be borne by the owners of estates situated within the territory embraced by it and benefited thereby, but no estate shall be deemed to be benefited unless or until a sewer is constructed into which it can be drained. The owners of such estates shall be assessed by said commissioners their proportional parts respectively of such portion of the total cost of said systems as is not borne by the town as above-provided. Such proportional parts shall be based upon the estimated average cost of all the sewers composing said systems and shall be assessed by a fixed uniform rate according to the frontage of such estate on any street or way in which a sewer is constructed, or according to the area of such estate within a fixed depth from such street or way, or according to both frontage and area; and every such owner shall, within three months after written notice of such assessment served on him or on the occupants of his estate, or sent by mail to the last address of said owner known to said commissioners, pay the sum so assessed to the collector of taxes of said town: *provided*, that said board shall, on the written request of any such owner made within said three months, apportion such assessment into such number of equal parts or instalments, not exceeding five, as said owner shall state in such request; and said board shall certify such apportionment to the assessors of said town, and one of said parts or instalments, with interest from the date of said apportionment at the rate of six per centum per annum shall be added by the assessors to the annual tax on such estates for each year next ensuing until all said parts have been so added, unless sooner paid as hereinafter provided; and *provided*, further, that nothing herein contained shall be construed to prevent the payment at any time in one payment, notwithstanding its prior apportionment, of any balance of said assessments then remaining unpaid, but interest on such balance at the rate of six per centum per annum shall be paid to the date of such payment; and thereupon the collector of taxes of said town shall receive the same and shall certify such payment or payments to the assessors, who shall preserve a record thereof. In cases of corner lots and lots abutting on more than one sewered street the same area shall not be assessed more than once.

Apportionment
of expense,
payment of
assessments,
etc.

Proviso.

Assessment to
constitute a lien
upon estate.

SECTION 7. An assessment made under section six shall constitute a lien upon the estate, which shall continue for three years after it is made and notice served as above-provided, or, in case of apportionment, until the expiration of two years from the time the last instalment is committed to the said collector of taxes; and said assessment, if not paid within three months after service of said notice, or, if apportioned, within three months after any part has become due, may, together with interest thereon at the rate of six per centum per annum, with incidental costs and expenses, be levied by sale of such estate or so much thereof as shall be sufficient to discharge the assessment and interest and intervening charges; such sale and all proceedings connected therewith shall be conducted in the same manner as sales for the non-payment of taxes; and real estate so sold may be redeemed the same as if sold for the non-payment of taxes, and in the same manner. Such assessment or parts thereof may also be collected by an action of contract, in the name of the town of Hyde Park, against the owner of said estate, brought at any time within three years after the same has become due.

May be collected
by an action of
contract.

Persons
aggrieved may
apply for a jury.

SECTION 8. Any person aggrieved by such assessment may, at any time within three months after service of the notice mentioned in section six of this act, apply to the superior court of said county for a jury to revise the same; but before making such application he shall give fourteen days' notice in writing of his intention so to do, to the said commissioners, and shall therein particularly specify his objection to the assessment, to which specification he shall be confined before the jury.

Hyde Park
Sewerage Loan.

SECTION 9. The town of Hyde Park, for the purpose of paying the necessary expenses and liabilities incurred under this act, may incur indebtedness, and may issue from time to time as may be required therefor, bonds, notes or scrip to an amount not exceeding one hundred and fifty thousand dollars; and the debt and loan authorized by this act, and the notes, bonds or scrip issued therefor, shall not be considered or reckoned in determining the authorized limit of indebtedness of said town under the provisions of section four of chapter twenty-nine of the Public Statutes and of acts in amendment thereof or in addition thereto. Such bonds, notes or scrip shall bear on their face the words, Hyde Park

Sewerage Loan, shall be payable within periods not exceeding forty years from the issuing of such bonds, notes or scrip respectively, and shall bear interest payable semi-annually at a rate not exceeding five per centum per annum. Said bonds, notes or scrip shall be signed by the treasurer of said town and shall be countersigned by a majority of the selectmen. The said town may from time to time sell such securities, or any part thereof, at public or private sale, or pledge the same for money borrowed for the purposes of this act, provided that they shall not be sold or pledged for less than the par value thereof; the proceeds thereof shall be retained in the treasury, and the treasurer shall pay therefrom the expenses incurred for the purposes aforesaid, upon the order of said board of commissioners.

Hyde Park
Sewerage Loan.

SECTION 10. Instead of establishing a sinking fund the said town may at the time of authorizing said loan provide for the payment thereof in such annual payments as will extinguish the same within the time prescribed in this act; and when such vote has been passed the amount required thereby, less the amount that may be appropriated therefor as provided in the following section, shall without further vote be assessed by the assessors of said town in each year thereafter, until the debt incurred by said town shall be extinguished, in the same manner as other taxes are assessed under the provisions of section thirty-four of chapter eleven of the Public Statutes.

May provide for
annual pay-
ments on loan.

SECTION 11. The receipts from assessments, and payments made in lieu thereof under this act, shall be applied to the payment of the charges and expenses for and incident to the maintenance and operation of said systems of sewerage, and for the payment of the further extension of the said system or systems, except that said town may apply any portion of such receipts to the payment of the interest upon said bonds, notes or scrip issued under authority of this act not otherwise provided for, or to the payment or redemption of said bonds, notes or scrip, as the said town shall by vote determine, and shall be used for no other purpose. If said receipts shall not be sufficient for said purposes in any year then in such case said town shall raise forthwith by taxation, in the same manner as money is raised and appropriated for other town purposes, the balance required therefor.

Payment of
expenses, etc.

Superintendent
and clerk, ap-
pointment, etc.

SECTION 12. Said board of commissioners shall annually appoint a clerk, and may appoint a superintendent of sewers, neither of whom shall be one of their own number, and may remove said clerk or superintendent at their pleasure. The compensation of said clerk and superintendent and of said commissioners shall be fixed by said town.

Contracts.

SECTION 13. All contracts made by said board of commissioners for the purposes of this act shall be the contracts of said town, and shall be signed by said board; but no contracts shall be made or obligations incurred by said commissioners for the laying out and construction of said systems of sewerage in excess of the amount of money appropriated by the town therefor.

Rules, regula-
tions and
penalties.

SECTION 14. Said board of commissioners may prescribe rules and regulations for the connecting of estates and buildings with said main drains and sewers, and for the inspection of materials, construction, alteration or use of all connections and drains entering into such main drains or sewers, and may impose penalties, not exceeding twenty dollars, for each violation of any such rule or regulation. Such rules or regulations shall be published not less than once a week for four successive weeks in some newspaper published in said town of Hyde Park, and shall not take effect until such publication has been made.

May enter into
an agreement
with Boston
for disposal of
certain sew-
age, etc.

SECTION 15. Said board of commissioners may enter into an agreement with the city of Boston for the disposal of such sewage as cannot be conveniently conveyed from any portion of said town by gravity flow to the main valley sewer authorized to be constructed, maintained and operated by the provisions of said chapter four hundred and six of the acts of the year eighteen hundred and ninety-five, and may make such connections with the sewers now or hereafter to be constructed by said city of Boston as may be required for such disposal, upon such terms as may be agreed upon between said town and said city; and for that purpose may enter upon and dig up any street or way in said city of Boston, and may take by purchase or otherwise any lands, rights of way or easements in said city necessary for the purpose of making such connections.

P. S. 50, etc., to
apply.

SECTION 16. The provisions of chapter fifty of the Public Statutes and of acts in amendment thereof, so far

as applicable and not inconsistent with this act, shall apply to the town of Hyde Park in carrying out the provisions of this act.

SECTION 17. This act shall take effect upon its passage ; When to take effect.
but no expenditure shall be made and no liability incurred under the same unless this act shall first be accepted by vote of a majority of the legal voters of said town of Hyde Park present and voting thereon at a legal meeting called for that purpose within one year from the date of its passage. And said town may elect said board of sewer commissioners, as provided in section two, at the same meeting at which it accepts this act.

Approved April 15, 1896.

AN ACT RELATIVE TO MINOR CHILDREN INDENTURED OR PLACED IN CHARGE OF PERSONS, ASSOCIATIONS OR INSTITUTIONS.

Chap. 288

Be it enacted, etc., as follows :

SECTION 1. Whenever the parent or guardian of any minor child, who is now or shall hereafter be indentured or placed in charge of any person or persons, association, or public or private institution by any state, city or town board, or by any public or private corporation or body of persons authorized by law to indenture or so place minor children, or in case of the death of both parents and there being no guardian, whenever one of the next of kin of any such child shall be denied information of the whereabouts of any such child by any such board, corporation or body of persons, the probate court for the county in which such child has its legal residence may by its order, upon the petition of such parent, guardian or next of kin, and upon such notice as it shall deem proper, if in its opinion the welfare of the child and the public interests will not be injured thereby, require such board, corporation or body of persons to give such information and permit such parent, guardian or next of kin to visit the child at such time or times and under such conditions as the court shall in its order direct ; and the court may upon the application of such parent, guardian or next of kin, or of any such board, corporation or body of persons, revise and alter such order, or make new orders or decrees in respect to such petition, as the welfare of the child and the public interests may seem to require.

Probate court may require information relative to certain children, etc.

SECTION 2. This act shall take effect upon its passage.

Approved April 15, 1896.

Chap.289 AN ACT RELATIVE TO THE UNITED STATES STEAMER MINNESOTA,
LOANED TO THE COMMONWEALTH FOR THE USE OF THE NAVAL
MILITIA.

Be it enacted, etc., as follows :

Control, etc., of
United States
steamer
Minnesota.

SECTION 1. The United States steamer Minnesota which has been loaned to the Commonwealth and is now being used as an armory for the naval militia, shall be under the exclusive control of the adjutant general, under the orders of the commander-in-chief, and all expenses for the care, furnishing and repairs of the same shall be paid by the Commonwealth and provided for in the annual appropriations.

Naval militia to
be reimbursed
etc.

SECTION 2. There may be expended for the purpose of reimbursing the naval militia for such sum of money as has been expended by said militia in fitting up said steamer, and for heating, lighting, repairing and properly furnishing the same, a sum not exceeding eight thousand two hundred dollars.

SECTION 3. This act shall take effect upon its passage.

Approved April 15, 1896.

Chap.290 AN ACT TO AUTHORIZE THE CITY OF LAWRENCE TO USE FOR THE
EXTENSION OF ITS WATER WORKS A PORTION OF THE PROCEEDS
OF A LOAN HERETOFORE AUTHORIZED.

Be it enacted, etc., as follows :

Extension of
water works.

SECTION 1. The city of Lawrence may use for the extension of its water works, by the construction of a high service, a sum not exceeding fifty thousand dollars of the proceeds of the loan authorized by chapter one hundred and forty-seven of the acts of the year eighteen hundred and ninety-three.

SECTION 2. This act shall take effect upon its passage.

Approved April 15, 1896.

Chap.291 AN ACT TO AUTHORIZE TOWNS TO MAKE APPROPRIATIONS TO MEET
THE EXPENSE OF DEDICATING SOLDIERS' MONUMENTS.

Be it enacted, etc., as follows :

Dedicating
soldiers'
monuments.

SECTION 1. Towns may at legal meetings grant and vote such sums as they may judge necessary, to meet the expense of dedicating soldiers' monuments.

SECTION 2. This act shall take effect upon its passage.

Approved April 15, 1896.

AN ACT RELATIVE TO THE ADAMS FIRE DISTRICT.

Chap. 292

Be it enacted, etc., as follows:

SECTION 1. Section one of chapter four hundred and eighty-five of the acts of the year eighteen hundred and ninety-five is hereby amended by striking out the words “*provided*, that no source of water supply shall be taken under this act for domestic purposes without the recommendation and advice of the state board of health”, in the ninth, tenth, eleventh and twelfth lines, so that said section as amended will read as follows: — *Section 1.* For the purpose of increasing the water supply of the Adams Fire District for the extinguishment of fires and for domestic and manufacturing purposes, said fire district is authorized to acquire by purchase, lease or taking any lands in the town of Adams, and any lands in the town of Cheshire lying northerly of the southerly boundary of the former town of New Providence, for the purpose of boring or driving artesian or other wells and excavating basins and reservoirs thereon. Said fire district may in like manner acquire all necessary rights of way under and over any lands, water courses, railroads, public and private ways, and along such ways in such manner as not unnecessarily to obstruct the same, and may thereafter enter in and upon any such ways, roads and lands for the purpose of repairing or relaying any pipes or conduits, but in so doing shall not unnecessarily obstruct or damage the same; and said fire district may erect on said lands thus purchased, taken or held, proper buildings, fixtures and all necessary structures, may make all necessary excavations, procure and operate machinery and provide such other means and appliances as may be necessary for the establishment of complete and effective works.

1895, 485, § 1, amended.

May acquire certain lands, rights of way, etc.

May erect buildings, etc.

SECTION 2. Section four of said chapter is hereby amended by striking out the word “*thirty*”, in the fifth line, and inserting in place thereof the word: — *sixty*, — so that said section as amended will read as follows: — *Section 4.* In order to defray the expenses which may be incurred by said fire district under this act the town of Adams may issue from time to time bonds or notes to be denominated on the face thereof, Adams Fire District Water Loan, to an amount not exceeding sixty thousand dollars, and bearing interest not exceeding six per

1895, 485, § 4, amended.

Adams Fire District Water Loan.

Town of Adams
may loan bonds
or notes to fire
district, etc.

cent. per annum. Said interest shall be payable semi-annually, and the principal thereof shall be payable not more than twenty years from the date of issue of said bonds or notes. All bonds or notes issued under authority of this act shall be signed by the treasurer of said town and countersigned by the chairman of the selectmen, and a record of all bonds or notes so issued shall be made and kept by the treasurer. The town of Adams may loan said bonds or notes to said fire district upon such terms and conditions as may be prescribed by said town; and said fire district may sell the same or any part thereof, or pledge the same or any part thereof for money borrowed for the purposes of this act.

SECTION 3. This act shall take effect upon its passage.

Approved April 15, 1896.

Chap. 293

AN ACT RELATIVE TO THE POWERS AND DUTIES OF THE SCHOOL COMMITTEE OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

1895, 449, § 22,
amended.

Architect
department,
etc., abolished.

Superintendent
of public build-
ings, powers
and duties.

SECTION 1. Section twenty-two of chapter four hundred and forty-nine of the acts of the year eighteen hundred and ninety-five is hereby amended by adding thereto the following words: — This act shall in no wise abridge or affect the powers and duties of the school committee of the city of Boston under the provisions of chapter four hundred and eight of the acts of the year eighteen hundred and ninety-five, — so that the section as amended will read as follows: — *Section 22.* The architect department and the office of city architect of said city are hereby abolished, and all buildings now in process of construction by said department shall be placed under the charge of the superintendent of public buildings, who shall be the city architect so far as relates to the powers and duties required of the city architect under existing contracts of said city, and shall see that the buildings are completed in accordance with the contracts already made therefor. Any building hereafter required by said city for the use of any department shall be built by such department, and any building not for the use of any department shall be built by such of the heads of departments or other officers appointed by the mayor as the mayor shall from time to time determine; but the plans of all buildings shall be subject to the approval of any officer

or board specified in the statutes relating thereto, and of the mayor, and the selection of the architect shall be subject to the approval of the mayor. This act shall in no wise abridge or affect the powers and duties of the school committee of the city of Boston under the provisions of chapter four hundred and eight of the acts of the year eighteen hundred and ninety-five.

Certain powers and duties of school committee not affected.

SECTION 2. This act shall take effect upon its passage.

Approved April 16, 1896.

AN ACT TO AUTHORIZE THE TOWN OF NATICK TO MAKE AN ADDITIONAL APPROPRIATION AND SEWERAGE LOAN.

Chap. 294

Be it enacted, etc., as follows :

SECTION 1. The town of Natick, for the purpose of carrying out the provisions of chapter four hundred and fifty-nine of the acts of the year eighteen hundred and ninety-four, is hereby authorized to appropriate a sum of money not exceeding one hundred thousand dollars in addition to the amount authorized by said act; and to raise the money so appropriated said town may issue negotiable bonds, notes or scrip in accordance with the provisions of said act: *provided*, that the whole amount of money appropriated for said purposes by said town under the authority given by this act and all other acts shall not exceed two hundred thousand dollars beyond the limit of indebtedness fixed by law for said town.

May issue additional bonds, notes or scrip, etc.

Proviso.

SECTION 2. This act shall take effect upon its passage.

Approved April 16, 1896.

AN ACT MAKING APPROPRIATIONS FOR THE PREPARATION FOR PUBLICATION AND FOR THE PUBLICATION OF THE PROVINCE LAWS

Chap. 295

Be it enacted, etc., as follows :

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, to meet expenses for the year ending on the thirty-first day of December in the year eighteen hundred and ninety-six, to wit: —

Appropriations.

For the salary of the commissioner appointed to edit the province laws, six hundred and sixty-six dollars and sixty-seven cents.

Commissioner appointed to edit province laws.

Copyists,
messengers,
etc.

For the salaries of copyists, messengers, extra help, for engraving, lithographing, stationery and postage, travelling and other necessary expenses in connection with the preparation and publication of the province laws, a sum not exceeding two thousand three hundred and thirty-three dollars and thirty-three cents.

SECTION 2. This act shall take effect upon its passage.

Approved April 16, 1896.

Chap.296 AN ACT TO AUTHORIZE THE CLOSING OF THE STATE DEPARTMENTS AND COMMISSIONS ON THE DAY OF THE MEMORIAL SERVICES IN HONOR OF FREDERIC T. GREENHALGE, LATE GOVERNOR OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

State offices to
close April 18.

SECTION 1. The heads of the several departments and commissions of the state government are hereby authorized to close their offices during the eighteenth day of April in the year eighteen hundred and ninety-six, being the day of the memorial services in honor of Frederic T. Greenhalge, late governor of the Commonwealth.

SECTION 2. This act shall take effect upon its passage.

Approved April 17, 1896.

Chap.297 AN ACT TO REGULATE THE SALE OF COMMERCIAL FERTILIZERS.

Be it enacted, etc., as follows:

Commercial
fertilizer
to be accom-
panied by
printed state-
ment, etc.

SECTION 1. Every lot or parcel of commercial fertilizer or fertilizer material sold or offered or exposed for sale within this Commonwealth shall be accompanied by a plainly printed statement, clearly and truly certifying the number of net pounds of fertilizer in the package, the name, brand or trade-mark under which the fertilizer is sold, the name and address of the manufacturer or importer, the location of the factory, and a chemical analysis stating the percentage of nitrogen, of potash soluble in distilled water, and of phosphoric acid in available form soluble in distilled water and reverted, as well as the total phosphoric acid. In the case of those fertilizers which consist of other and cheaper materials said label shall give a correct general statement of the composition and ingredients of the fertilizer it accompanies.

Certified copy
of statement to
be filed, etc.

SECTION 2. Before any commercial fertilizer is sold or offered or exposed for sale the importer, manufacturer or party who causes it to be sold or offered for sale within

this Commonwealth shall file with the director of the Hatch experiment station of the Massachusetts Agricultural College a certified copy of the statement named in section one of this act, and shall also deposit with said director at his request, a sealed glass jar or bottle, containing not less than one pound of the fertilizer, accompanied by an affidavit that it is a fair average sample thereof.

SECTION 3. The manufacturer, importer, agent or seller of any brand of commercial fertilizer or fertilizer material shall pay for each brand, on or before the first day of May annually, to the director of the experiment station, an analysis fee of five dollars for each of the three following fertilizing ingredients: namely, nitrogen, phosphorus and potassium, contained or claimed to exist in said brand of fertilizer: *provided*, that whenever the manufacturer or importer shall have paid the fee herein required for any person acting as agent or seller for such manufacturer or importer, such agent or seller shall not be required to pay the fee named in this section; and on receipt of said analysis fees and statement specified in section two the director of said station shall issue certificates of compliance with this act.

Analysis fees.

Proviso.

SECTION 4. No person shall sell or offer or expose for sale in this Commonwealth any pulverized leather, hair or wool waste, raw, steamed, roasted or in any form as a fertilizer, or as an ingredient of any fertilizer or manure, without an explicit printed certificate of the fact, said certificate to be conspicuously affixed to every package of such fertilizer or manure, and to accompany or go with every parcel or lot of the same.

Sale of pulverized leather, etc., as a fertilizer, regulated.

SECTION 5. Any person selling or offering or exposing for sale any commercial fertilizer without the statement required by the first section of this act, or with a label stating that said fertilizer contains a larger percentage of any one or more of the constituents mentioned in said section than is contained therein, or respecting the sale of which all the provisions of the foregoing section have not been fully complied with, shall forfeit fifty dollars for the first offence and one hundred dollars for each subsequent offence.

Penalty.

SECTION 6. This act shall not affect parties manufacturing, importing or purchasing fertilizers for their own use and not to sell in this Commonwealth.

Certain parties not affected.

Analysis to be made annually, etc.

Taking of samples, etc.

SECTION 7. The director of the experiment station shall pay the analysis fees, as soon as received by him, into the treasury of the station, and shall cause one analysis or more of each fertilizer or fertilizer material to be made annually, and shall publish the results from time to time, with such additional information as the circumstances render advisable, provided such information relates only to the composition of the fertilizer or fertilizer material inspected. Said director is hereby authorized in person or by deputy to take a sample, not exceeding two pounds in weight, for analysis, from any lot or package of fertilizer or fertilizer material which may be in the possession of any manufacturer, importer, agent or dealer; but said sample shall be drawn in the presence of said party or parties in interest, or their representative, and taken from a parcel or a number of packages which shall be not less than ten per cent. of the whole lot inspected, and shall be thoroughly mixed and then divided into two equal samples and placed in glass vessels, and carefully sealed and a label placed on each, stating the name or brand of the fertilizer or material sampled, the name of the party from whose stock the sample was drawn, and the time and place of drawing; and said label shall also be signed by the director or his deputy and by the party or parties in interest, or their representatives present at the drawing and sealing of said sample; one of said duplicate samples shall be retained by the director and the other by the party whose stock was sampled. All parties violating this act shall be prosecuted by the director of said station.

Repeal.

SECTION 8. Chapter two hundred and ninety-six of the acts of the year eighteen hundred and eighty-eight is hereby repealed.

To take effect Nov. 1, 1896.

SECTION 9. This act shall take effect on the first day of November in the year eighteen hundred and ninety-six.

Approved April 17, 1896.

Chap. 298 AN ACT TO INCORPORATE THE WORCESTER COLLATERAL LOAN ASSOCIATION.

Be it enacted, etc., as follows:

Worcester Collateral Loan Association incorporated.

SECTION 1. Stephen Salisbury, Elisha D. Buffington, Archelaus M. Howe, Francis H. Dewey, Lincoln N. Kinncutt, Alexander DeWitt, John H. Coes, George T.

Dewey, John S. Brigham, Charles Thornton Davis, Azro L. D. Buxton, Charles L. Nichols, John F. Kyes, Henry L. Parker, George F. Blake, Jr., and Charles E. Burnham, their associates and successors, are hereby made a corporation by the name of the Worcester Collateral Loan Association, to be located at Worcester, for the purpose of loaning money upon pledge or mortgage of goods and chattels, or of safe securities of every kind; and all the powers and privileges necessary for the execution of these purposes are hereby granted, and said corporation shall also have all the powers and privileges and be subject to all the duties, restrictions and liabilities set forth in chapter one hundred and five of the Public Statutes and in all the general laws which now are or hereafter may be in force relating to such corporations.

Worcester
Collateral Loan
Association
incorporated.

SECTION 2. The capital stock of said corporation shall be ten thousand dollars, to be divided into shares of one hundred dollars each, and to be paid for at such times and in such manner as the board of directors shall decide: *provided*, that no business shall be transacted by said corporation until said amount of ten thousand dollars is subscribed for and actually paid in; and no certificate of shares shall be issued until the par value of such shares shall have actually been paid in in cash. The said corporation may increase its capital stock from time to time until the same amounts to two hundred thousand dollars.

Capital stock.

Proviso.

SECTION 3. Said corporation is hereby authorized to borrow money on its own notes, not exceeding the amount of its capital paid in, and for periods not exceeding one year.

May borrow on
its notes.

SECTION 4. The government of said corporation shall be vested in a board of directors, chosen as the by-laws may prescribe, conformably to law: *provided, however*, that one director shall be appointed by the governor of the Commonwealth and one shall be appointed by the mayor of the city of Worcester; and the board thus constituted shall elect one of their number president, and such officers as may be deemed necessary. The compensation of the directors appointed by the governor and mayor for their services and attendance at meetings shall be paid by said corporation.

Directors.

Proviso.

SECTION 5. When said corporation has disposable funds it shall loan on all goods and chattels offered, embraced within its rules and regulations, in the order

Loans.

in which they are offered, with this exception, that it may always discriminate in favor of small loans to the indigent.

Duration of
loans, right of
redemption, etc.

SECTION 6. All loans shall be for a time fixed and not more than one year, and the mortgagor or pledgor shall have a right to redeem his property mortgaged or pledged, at any time before it is sold, in pursuance of the contract between the parties, or before the right of redemption is foreclosed, on payment of the loan and rate of compensation to the time of the offer to redeem. No charges shall be made for making a preliminary examination when a loan is not made, nor for the examination of property offered at the office of the association for pledge.

Pledgor to be
given a card.

SECTION 7. The corporation shall give to each pledgor a card inscribed with the name of the corporation, the article or articles pledged, the name of the pledgor, the amount of the loan, the rate of compensation, the date when made, the date when payable, the page of the book where recorded, and a copy of sections eight and nine of this act.

Unredeemed
property.

SECTION 8. Property pledged to the Worcester Collateral Loan Association must be held one year, unless sooner redeemed, and if not redeemed within one year from the date of the loan shall be sold at public auction, and the net surplus, after paying loan charges and expenses of sale, shall be held one year for the owner. All auction sales shall be advertised for at least one week in two daily newspapers published in Worcester. In case a savings bank deposit book pledged to the association shall not be redeemed as above it shall not be necessary for the association to sell the same at public auction, but it may convert the same or so much thereof as may be necessary to pay the debt, in such mode and at such time as in the judgment of the directors will best secure the interest of all parties, holding the net surplus as above for the owner.

Savings bank
deposit books.

Interest.

SECTION 9. Said association shall in no case charge interest at a rate exceeding one and one half per cent. per month.

Commissioners
of savings
banks to have
access to books,
etc.

SECTION 10. The commissioners of savings banks shall have access to the vaults, books and papers of the corporation, and it shall be their duty to inspect, examine and inquire into its affairs and to take proceedings in regard to them, in the same manner and to the same ex-

tent as if said corporation was a savings bank, subject to all the general laws which are now or hereafter may be in force relating to such institutions in this regard. The returns required to be made to the commissioners of savings banks shall be in the form of a trial balance of its books, and shall specify the different kinds of its liabilities and the different kinds of its assets, stating the amounts of each kind, together with such other information as may be called for by said commissioners, in accordance with a blank form to be furnished by said commissioners; and these returns shall be published in a newspaper of the city of Worcester, at the expense of said corporation, at such times and in such manner as may be directed by said commissioners, and in the annual report of said commissioners: *provided, however*, that said commissioners may cause any examination to be made by an expert, under their direction but at the expense of the corporation.

Returns.

Proviso.

Approved April 17, 1896.

AN ACT RELATIVE TO THE VINEYARD GROVE COMPANY.

Chap.299

Be it enacted, etc., as follows:

SECTION 1. All acts of the Vineyard Grove Company, its officers or directors, relating to the purchase of real estate, and all deeds and conveyances to said corporation of real estate in the town of Cottage City, are hereby ratified, confirmed and made valid, and said corporation is hereby authorized to hold, improve, manage and dispose of all real estate at any time heretofore conveyed to it, for its corporate purposes.

Acts of Vineyard Grove Company confirmed, etc.

SECTION 2. Said corporation is hereby authorized to erect, maintain, and to engage in the business of keeping a hotel or hotels and bathing establishments, and to erect such buildings as it may deem advisable, in said Cottage City, and to construct and maintain upon and from its lands over and into the tide waters a wharf or wharves or other structures, or to extend or improve the same, subject to the provisions of chapter nineteen of the Public Statutes.

May engage in certain business, etc.

Approved April 17, 1896.

AN ACT RELATIVE TO THE NORTHERN BAPTIST EDUCATION SOCIETY.

Chap.300

Be it enacted, etc., as follows:

SECTION 1. The Northern Baptist Education Society may at its discretion use both principal and interest of

May use certain donations, etc., for purposes of the society.

donations, grants, devises and bequests hereafter received by it, where not otherwise directed by the giver, for the purposes of the society, including its current expenses.

SECTION 2. This act shall take effect upon its passage.

Approved April 17, 1896.

Chap. 301 AN ACT TO AUTHORIZE THE CITY OF SPRINGFIELD TO TAKE LAND FOR THE ERECTION OF PUBLIC SCHOOL BUILDINGS.

Be it enacted, etc., as follows :

May take certain real estate.

SECTION 1. The city of Springfield, acting by its board of aldermen, is hereby authorized to take by purchase or otherwise, in fee, at any time within the period of one year from the passage of this act, the whole or any part of certain real estate in said city bounded northerly by State street, easterly by land of Elisha Morgan, southerly by Temple street, and westerly by land of said city; said real estate so taken to be used in connection with the aforesaid real estate of the city for the erection of a building or buildings to be used for public school purposes.

Description of land to be recorded, etc.

SECTION 2. The order for such taking shall be approved by the mayor, who, within thirty days from his approval of any such order, shall file and cause to be recorded in the registry of deeds for the county of Hampden a description of the land so taken, sufficiently accurate for identification, with his statement of the purpose for which such lands were taken under this act.

Damages.

SECTION 3. The city of Springfield shall pay all damages sustained by any person by the taking of lands or other property hereunder. Any person sustaining damages as aforesaid, who fails to agree with the city as to the amount of damages sustained, may have his damages assessed and determined in the manner provided by law where land is taken for the laying out of highways, on application at any time within the period of one year from the taking of such land or property.

City may offer a specified sum, etc.

SECTION 4. In every case of a petition for the assessment of damages, or for a jury hereunder, the said city may offer in court and consent in writing that a sum therein specified may be awarded as damages to the complainant; and if the complainant shall not accept the same within ten days after he has received notice of such offer, and shall not finally recover a greater sum

than the one offered, not including interest on the sum recovered in damages from the date of the offer, the said city shall be entitled to recover its costs after said date, and the complainant, if he recovers damages, shall be allowed costs only to the date of the offer, unless the damages so recovered shall be in excess of the amount offered by the city, as aforesaid.

SECTION 5. This act shall take effect upon its passage.

Approved April 22, 1896.

AN ACT RELATIVE TO REPORTS OF EVIDENCE GIVEN AT INQUESTS
IN CASES OF DEATH BY ACCIDENT ON RAILROADS AND STREET
RAILWAYS.

Chap. 302

Be it enacted, etc., as follows:

SECTION 1. When a justice has reason to believe that an inquest to be held by him relates to the death by accident of a passenger or employee upon a railroad, or of a traveller upon a public or private way at a railroad crossing, or to a death by accident resulting from or connected with the operation of a street railway, he shall cause a verbatim report of the evidence given before him to be made. The accuracy of such report shall be sworn to by the person making the same, and the report and the reporter's bill for his services, after each has been examined and approved in writing by such justice, shall be forwarded without unnecessary delay to the board of railroad commissioners. Bills for such services, when approved by the said board, shall be forwarded to the auditor of accounts, and shall be paid out of the treasury of the Commonwealth, and shall be assessed on the several corporations owning or operating the railroads or street railways on which the accidents occurred, and shall be collected in the manner provided in section twelve of chapter one hundred and twelve of the Public Statutes.

Reports of evidence given at inquests in certain cases of death by accident.

SECTION 2. Chapter three hundred and sixty-five of the acts of the year eighteen hundred and eighty-eight and chapter one hundred and fifty-four of the acts of the year eighteen hundred and eighty-nine are hereby repealed; but such repeal shall not affect existing rights.

Repeal.

Not to affect existing rights.

SECTION 3. This act shall take effect upon its passage.

Approved April 22, 1896.

Chap. 303 AN ACT RELATIVE TO THE INVESTIGATION OF FIRES AND THE REPORT TO THE FIRE MARSHAL.

Be it enacted, etc., as follows :

1894, 444, § 2,
amended.

Cause, etc., of
fires to be in-
vestigated, etc.

Board making
investigation to
report to fire
marshal.

Record of fires,
etc., to be kept.

Section two of chapter four hundred and forty-four of the acts of the year eighteen hundred and ninety-four is hereby amended by inserting in the fourth line, after the word "established", the words : — whether the organized fire district includes within its limits the whole territory of the town or not, — and by inserting in the fifth line, after the word "which", the words : — no fire district is organized and, — so as to read as follows : — *Section 2.* The state fire marshal, in the city of Boston, and the board of fire engineers in every other city, and in every town in which a board of fire engineers is established, whether the organized fire district includes within its limits the whole territory of the town or not, and the board of selectmen in any town in which no fire district is organized and no board of fire engineers is established, shall investigate the cause, origin and circumstances of every fire occurring in such city or town in which property has been destroyed or damaged, and shall specially make investigation whether such fire was the result of carelessness or design. Such investigation shall be begun within two days, not including the Lord's day, of the occurrence of such fire, and the fire marshal shall have the right to supervise and direct such investigation whenever he deems it expedient or necessary. The board making investigation of fires occurring in cities and towns, other than the city of Boston, may forthwith notify said fire marshal, and shall, within one week of the occurrence of the fire, furnish to the said fire marshal a written statement of all the facts relating to the cause and origin of the fire, the kind, value and ownership of the property destroyed, and such other information as may be called for by the blanks provided by the said fire marshal. The fire marshal shall keep in his office a record of all fires occurring in the Commonwealth, together with all facts, statistics and circumstances, including the origin of the fires, which may be determined by the investigations provided for by this act ; such record shall at all times be open to public inspection, and such portions of it as the insurance commissioner may deem necessary shall be

transcribed and forwarded to him within fifteen days from the first day of January. *Approved April 22, 1896.*

AN ACT RELATIVE TO SENTENCES TO THE REFORMATORY PRISON *Chap.304*
FOR WOMEN.

Be it enacted, etc., as follows :

SECTION 1. Section forty-three of chapter two hundred and twenty-one of the Public Statutes, as amended by chapter four hundred and twenty-six of the acts of the year eighteen hundred and eighty-seven, is hereby amended by striking out in the eighth and ninth lines, the words "held within the district of Massachusetts", so as to read as follows : — *Section 43.* The reformatory prison for women at Sherborn in the county of Middlesex shall be the prison of the Commonwealth for the reformation and punishment of female offenders ; in which shall be kept imprisoned and detained all female convicts duly committed or removed thereto conformably to the sentences or orders of any court of the state or of the courts of the United States, and the rules and regulations of said prison.

P. S. 221, § 43,
etc., amended.

Reformatory
prison for
women.

SECTION 2. This act shall take effect upon its passage.

Approved April 22, 1896.

AN ACT RELATIVE TO SEWERAGE AND SEWAGE DISPOSAL IN THE *Chap.305*
TOWN OF WAKEFIELD.

Be it enacted, etc., as follows :

SECTION 1. For the purpose of defraying the expense of laying, making and maintaining a system of main drains and common sewers and establishing and operating a system of sewage disposal, the town of Wakefield is hereby authorized to issue from time to time, in excess of its debt limit, bonds, notes or scrip to an amount not exceeding one hundred thousand dollars. Such bonds, notes or scrip shall bear on their face the words, Wakefield Sewerage Loan, Act of 1896, shall be payable at the expiration of periods not exceeding thirty years from the date of issue, shall bear interest payable semi-annually at a rate not exceeding four per cent. per annum, and shall be signed by the treasurer and countersigned by the sewerage commissioners of the town. The said town may sell such securities or any part thereof from time to time at public or private sale, but none of said bonds, notes or scrip

Wakefield Sew-
erage Loan,
Act of 1896.

shall be issued or sold except in compliance with the vote of the town nor for less than the par value thereof.

Payment of
loan.

SECTION 2. The receipts from payments, assessments, and from such annual rates for the use of such sewers as said town may by vote establish, after deducting the expenses, shall be applied, first to the payment of the interest upon the bonds, notes or scrip issued under the authority of this act not otherwise provided for, and the balance shall be set apart to meet the requirements of the sinking fund for the payment or redemption of said bonds, notes or scrip, as provided by section nine of chapter twenty-nine of the Public Statutes. If the said receipts in any year shall be insufficient to pay the interest on said bonds, notes or scrip and to meet the requirements of law as to said sinking fund, then in such case the town, to meet said deficiency, shall raise forthwith such sum as will with said net income be sufficient to meet said requirements. Said sinking fund shall remain inviolate and pledged to the payment and redemption of such bonds, notes or scrip, and shall be used for no other purpose.

May provide for
annual pay-
ments on loan.

SECTION 3. The said town instead of establishing a sinking fund may at the time of authorizing said loan provide for the payment thereof in annual payments of such amounts as will in the aggregate extinguish the same within the time prescribed in this act; and when such vote has been passed the amount required thereby shall without further vote be assessed by the assessors of said town in each year thereafter until the debt incurred by said town shall be extinguished, in the same manner as other taxes are assessed under the provisions of section thirty-four of chapter eleven of the Public Statutes.

Apportionment,
etc., of assess-
ments.

SECTION 4. The board of sewerage commissioners of said town on the written request, made within three months after notification of assessment, of any owner of an estate assessed by said commissioners for its proportional part of the charge of making and maintaining such main drains or common sewers and system of sewage disposal, shall apportion such assessment into such number of equal parts or instalments, not exceeding ten, as said owner shall state in such request; and said board shall certify such apportionment to the assessors of said

town, and one of said parts or instalments, with interest from the date of said apportionment at the rate of five per. cent. per annum, shall be added by the assessors to the annual tax on such estates for each year next ensuing until all said parts have been so added and paid: *provided*, that nothing herein contained shall be construed to prevent the payment at any time in one payment of any balance of said assessments then remaining unpaid, notwithstanding such prior apportionment. All liens for the collection of such assessment shall continue until the expiration of two years from the time when the last instalment is added by the assessors and remitted to the collector.

SECTION 5. This act shall take effect upon its passage.

Approved April 22, 1896.

AN ACT RELATIVE TO MARRIAGES.

Chap. 306

Be it enacted, etc., as follows:

SECTION 1. Any person duly authorized to solemnize marriages in this Commonwealth who shall join in marriage persons who have not complied with the statutes in regard to procuring certificates of notice of intention of marriage shall be punished by a fine not exceeding five hundred dollars.

Penalty for joining persons in marriage without certificate.

SECTION 2. Whoever, not being duly authorized by the statutes of this Commonwealth, undertakes to join persons in marriage in this Commonwealth shall be punished by a fine not exceeding five hundred dollars or by imprisonment in jail or in the house of correction not exceeding one year, or by both such fine and imprisonment.

Penalty for solemnizing marriages without authority.

SECTION 3. Sections twenty-five and twenty-six of chapter one hundred and forty-five of the Public Statutes are hereby repealed.

Repeal.

SECTION 4. No person shall solemnize a marriage in this Commonwealth unless he is able to read and write the English language, and no rabbi of the Israelitish faith shall solemnize marriage until he has filed with the clerk or registrar of the town or city where he resides a certificate of the establishment of the synagogue of which he is rabbi, and of the date of his appointment thereto, and of the term of his engagement.

Marriages not to be solemnized by certain persons.

Approved April 22, 1896.

Chap.307 AN ACT TO AUTHORIZE THE PROPRIETORS OF OAK GROVE CEMETERY TO HOLD ADDITIONAL REAL AND PERSONAL ESTATE.

Be it enacted, etc., as follows :

May hold additional estate, etc.

SECTION 1. The proprietors of Oak Grove Cemetery of Gloucester may purchase, or take by devise or gift, and hold so much real and personal estate as may be necessary for the objects of its organization, which shall be applied exclusively to the furtherance of such objects ; may lay out such real estate into lots ; and upon such terms, conditions and regulations as it shall prescribe may grant and convey the exclusive right of burial in, and of erecting tombs or cenotaphs upon, any lot, and of ornamenting the same.

SECTION 2. This act shall take effect upon its passage.

Approved April 22, 1896.

Chap.308 AN ACT TO PROHIBIT THE SELLING OR GIVING AWAY OF INTOXICATING LIQUORS ON CERTAIN HOLIDAYS BY THE HOLDERS OF FOURTH AND FIFTH CLASS LICENSES.

Be it enacted, etc., as follows :

Holders of fourth or fifth class licenses not to sell, etc. intoxicating liquors on certain holidays.

SECTION 1. Any person holding a license of the fourth class, or of the fifth class, described in section ten of chapter one hundred of the Public Statutes, to sell intoxicating liquor, who shall sell, give away or deliver on the licensed premises any of such liquor on the twenty-second day of February, or on the nineteenth day of April, or on the thirtieth day of May, or on the fourth day of July, or on the first Monday in September, or on Thanksgiving day, or on the twenty-fifth day of December, shall be liable to the penalty prescribed in section eighteen of chapter one hundred of the Public Statutes or in acts supplementary thereto or in amendment thereof. When any one of said days which may fall upon Sunday does fall upon that day the provisions of this act shall apply to the succeeding day.

SECTION 2. This act shall take effect upon its passage.

Approved April 22, 1896.

Chap.309 AN ACT TO INCORPORATE THE AMERICAN HOTEL INSTITUTE.

Be it enacted, etc., as follows :

The American Hotel Institute incorporated.

SECTION 1. Murray M. Wing, Charles L. Wing and John I. Lane, their associates and successors, are hereby

made a corporation by the name of The American Hotel Institute, with its principal office to be located at Boston, for the purpose of promoting the study and practice of the culinary art and other duties appertaining thereto, by the establishment of a school of hotel and home science, and by other suitable means, with the privilege of granting certificates of proficiency and of conducting an exchange to promote discussion of those and other kindred subjects and to assist graduates and members in obtaining employment, together with all the powers and privileges and subject to all the duties, liabilities and restrictions set forth in the general laws which now are or may be hereafter in force applicable to such corporations.

The American Hotel Institute incorporated.

SECTION 2. Said corporation may hold for the purposes of its incorporation real and personal estate to an amount not exceeding one hundred thousand dollars.

May hold real and personal estate.

Approved April 27, 1896.

AN ACT RELATIVE TO STATE SCHOLARSHIPS IN THE MASSACHUSETTS INSTITUTE OF TECHNOLOGY.

Chap. 310

Be it enacted, etc., as follows :

SECTION 1. There shall be paid annually from the treasury of the Commonwealth to the treasurer of the Massachusetts Institute of Technology, from and after the first day of September in the year eighteen hundred and ninety-six, the sum of four thousand dollars.

Commonwealth to pay to Massachusetts Institute of Technology a certain sum annually.

SECTION 2. In consideration of such payment and of the grant made by chapter one hundred and three of the resolves of the year eighteen hundred and eighty-seven the Massachusetts Institute of Technology shall maintain forty free scholarships, of which each senatorial district in the Commonwealth shall be entitled to one, if a candidate is presented who is otherwise unable to bear the expense of tuition. In case no such candidate appears from a senatorial district, then a candidate may be selected from the state at large to fill such vacancy, who may continue to hold the scholarship annually until a candidate is presented from the senatorial district unrepresented.

Free scholarships.

SECTION 3. The scholarships shall be awarded to such pupils of the public schools of Massachusetts as shall be found upon examination to possess the qualifications fixed for the admission of students to said institute, and

Awarding of free scholarships.

who shall be selected by the board of education ; preference in the award being given only to qualified candidates otherwise unable to bear the expense of tuition.

Repeal.

SECTION 4. So much of chapter one hundred and three of the resolves of the year eighteen hundred and eighty-seven as relates to state scholarships, and so much of chapter seventy of the resolves of the year eighteen hundred and ninety-five, as provides an annual appropriation of two thousand dollars for the maintenance of ten free scholarships, are hereby repealed.

To take effect
July 1, 1896.

SECTION 5. This act shall take effect on the first day of July in the year eighteen hundred and ninety-six.

Approved April 27, 1896.

Chap.311 AN ACT TO AUTHORIZE THE CITY OF LYNN TO PAY A SUM OF MONEY TO THE WIDOW OF NELSON H. DOE LATE A MEMBER OF THE POLICE DEPARTMENT OF SAID CITY.

Be it enacted, etc., as follows :

Widow of Nelson H. Doe.

SECTION 1. The city of Lynn is hereby authorized, by a vote of its city council to be approved by the mayor, to pay to Jane Doe, the widow of Nelson H. Doe late a member of the Lynn police department, the amount of salary to which he would have been entitled had he lived and performed his duties to the close of the present financial year of said city.

SECTION 2. This act shall take effect upon its passage.

Approved April 27, 1896.

Chap.312 AN ACT TO AUTHORIZE THE TOWN OF BRAINTREE TO MAKE AN ADDITIONAL WATER LOAN.

Be it enacted, etc., as follows :

May incur additional indebtedness, issue bonds, etc.

SECTION 1. The town of Braintree may, for the purpose of increasing its water supply, incur additional indebtedness to an amount not exceeding twenty thousand dollars, and issue bonds, notes or scrip therefor. The provisions of sections eleven and twelve of chapter two hundred and sixty-nine of the acts of the year eighteen hundred and eighty-six shall, so far as applicable, apply to the bonds, notes and scrip issued under the authority hereby granted.

SECTION 2. This act shall take effect upon its passage.

Approved April 27, 1896.

AN ACT RELATIVE TO THE BUILDING LINE AND HEIGHT OF BUILDINGS ON PARKWAYS, BOULEVARDS AND PARKS. *Chap.313*

Be it enacted, etc., as follows :

SECTION 1. The board of park commissioners of a city or town may, in the manner and in accordance with and subject to the provisions of chapter four hundred and sixty-two of the acts of the year eighteen hundred and ninety-three, establish a building line, at no point more than twenty-five feet distant from any exterior line of a parkway, boulevard or public way on which a park borders ; and the extreme height to which buildings may be erected upon such parkway, boulevard or public way shall be seventy feet, or such other height as the city council of a city or the inhabitants of a town may from time to time determine.

Building line and height of buildings on parkways, etc.

SECTION 2. Any person sustaining damage by reason of the establishment of any building line under the provisions of the preceding section shall have the same remedies for obtaining payment therefor as may at the time of the filing of a petition for such damages be prescribed by law for obtaining payment for damages sustained by any person whose land is taken in the laying out of a highway in such city or town.

Damages.

SECTION 3. This act shall take effect in any city when accepted by the city council thereof, and in any town when accepted by a majority of the legal voters thereof present and voting thereon at a town meeting called for the purpose.

When to take effect.

Approved April 27, 1896.

AN ACT TO PROVIDE FOR THE APPOINTMENT OF A RESERVE POLICE FORCE IN CITIES. *Chap.314*

Be it enacted, etc., as follows :

SECTION 1. Any city, except Boston, which accepts the provisions of this act as hereinafter provided, may establish a reserve police force for said city ; and appointments to such force shall be made in the same manner as appointments to the regular police force of said city, subject to such rules as the civil service commissioners may prescribe.

Certain cities may establish a reserve police force.

SECTION 2. The number of members of such reserve force shall not exceed five in cities where the number of members of the regular force does not exceed fifteen.

Number of members.

When the number of members of the regular force exceeds fifteen one member may be added to the reserve force for every three of the regular force above fifteen and not above thirty; one for every five of the regular force above thirty and not above eighty; and one for every ten of the regular force above eighty.

Powers, duties,
compensation,
etc.

SECTION 3. The mayor or city marshal of any city in which such reserve force is established may assign the members thereof to duty in said city whenever and for such length of time as said mayor or marshal may deem necessary; and when on duty the members of said reserve shall have all the powers and duties of members of the regular police force of said city. The compensation of the members of said reserve force shall be fixed by the city council.

When to take
effect, etc.

SECTION 4. This act shall not apply to the city of Boston, and shall take effect in any other city when accepted by the city council with the approval of the mayor.

Approved April 27, 1896.

Chap. 315 AN ACT TO AUTHORIZE THE CITIES OF BOSTON AND CAMBRIDGE TO CONSTRUCT AND MAINTAIN A BRIDGE OVER CHARLES RIVER.

Be it enacted, etc., as follows:

Commissioners
to construct
bridge across
Charles river.

SECTION 1. Upon the application of either the city of Boston or the city of Cambridge, after a vote thereupon by both of their respective city councils, to any justice of the supreme judicial court, after notice to and hearing said cities, said court shall appoint three disinterested persons as commissioners, neither of whom shall reside in either of said cities. Said commissioners shall have full power and authority, and are hereby authorized and required, within three years after their appointment, to construct and complete a bridge with a suitable draw across Charles river, from a point near the harbor commissioners' line on the northerly side of said Charles river, crossing Charles river and the Boston and Albany railroad, to the southerly location of said railroad, — the center of said bridge to be located so as to be on the center line of Magazine street in Cambridge, if produced and extended to and across said Charles river. The location of said bridge shall be subject however to the approval of the board of harbor and land commissioners so far as it affects the harbor, and subject further to the

Location to be
approved, etc.

approval of the board of railroad commissioners so far as it affects the said railroad. Said bridge shall have a draw with a clear opening of at least thirty-six feet for the passage of vessels, and shall not be required to have a draw of greater width until the several bridges over Charles river below said bridge are required to have draws of greater clear opening than thirty-six feet, when the draw in said bridge shall be widened to conform thereto. Said bridge shall be constructed and maintained, subject to the provisions of chapter nineteen of the Public Statutes and other laws which are now or hereafter may be in force in relation thereto; except that no compensation for displacement of tide water or for occupying any lands or flats of the Commonwealth shall be required from said cities.

To be constructed, etc., subject to P. S. 19, etc.

SECTION 2. Said bridge shall be constructed in accordance with such plans and specifications, and of such materials, as the said cities may in writing agree upon within six months after the appointment of said commissioners. If said cities shall fail to agree within said time upon either the plans, specifications or materials as aforesaid, then said commissioners shall immediately proceed to construct said bridge in accordance with such plans and specifications and of such materials as said commissioners may deem best; but in either event said bridge shall be constructed on iron or stone piers and abutments, and the total cost shall not exceed three hundred thousand dollars.

Plans, specifications, etc.

SECTION 3. The city of Cambridge at its own expense shall forthwith, after the appointment of said commissioners, take lands by purchase or otherwise within its own limits for said bridge and an avenue, and by its board of park commissioners lay out and construct said avenue not less than sixty feet in width from the end of Magazine street, as at present laid out, to the northerly end of said bridge, as an approach thereof; said avenue to be taken, laid out and used as a parkway, and said laying out and construction to be done and completed within the time above-specified for the completion of the bridge. The board of street commissioners of the city of Boston at the expense of said city shall forthwith, after the appointment of said commissioners, take lands by purchase or otherwise within its own limits for said bridge and an avenue, and shall lay out said avenue not

To take lands, construct an avenue, etc.

To take lands,
construct an
avenue, etc.

less than sixty feet in width, from the northerly line of Commonwealth avenue, in the line of Pleasant street in Brookline, as produced, extending northerly to the southerly end of said bridge as an approach thereof; said avenue to be taken and laid out on the lines as shown on the plan of the street commissioners of the city of Boston, filed in the office of the city engineer of said city, on the sixth day of January in the year eighteen hundred and ninety-six, and where said lines are not shown said avenue is to be taken and laid out as said commissioners shall deem best, and to be used as a parkway. The city of Boston by its city engineer shall construct said avenue within the time above-specified for the completion of the bridge.

Building line to
be established,
etc.

SECTION 4. The board or officers having authority to lay out ways in their respective cities shall, within the time above-specified for the completion of the bridge, at the expense of the respective cities, establish along the whole extent of their respective approaches, as aforesaid, a building line not less than twenty feet distant from the outside boundary lines of said approaches; and between said building line and the lines of said approaches no building shall be erected except steps, piazzas, bay windows, porticos and other similar projections from buildings.

Taking of lands,
establishment of
building lines,
etc.

SECTION 5. All the proceedings relating to the taking of lands shall be the same as in the case of land taken for highways within said cities respectively, with like remedies to all parties interested; and all proceedings in the establishment of building lines shall be the same as are now or may be hereafter provided by law in the establishment of building lines on public ways, with like remedies to all parties interested; and betterments may be assessed for the construction of said bridge and its approaches in each city in like manner as for the laying out of highways under the betterment acts in force in each city respectively, with like remedies to all parties interested.

Costs, damages,
etc.

SECTION 6. All costs, damages and expenses whatsoever incurred and sustained in the construction of the said bridge and draw, including a reasonable compensation for said commissioners, shall be borne equally by said cities. The rate of compensation of said commissioners and the times for the payment of the same may be fixed by any justice of the supreme judicial court.

SECTION 7. In case any vacancy occurs in said commission by reason of death, resignation, inability to serve, or otherwise, the same may be filled from time to time by appointment in the manner hereinbefore specified in this act.

Vacancy in commission.

SECTION 8. The care and management of said bridge and draw shall be vested in two persons, one from each city, chosen in accordance with such ordinances as said cities shall respectively establish; and until such persons are chosen the mayors of said cities shall have such care and management.

Care and management of bridge, etc.

SECTION 9. While the said bridge is in process of construction the said commissioners from time to time shall certify to the treasurer of each city the amounts required of each city respectively, and the persons to whom said amounts shall be paid; and each city, within ten days of the time when said certificates are given, shall pay to the several parties named in the certificates the several amounts respectively charged by said commissioners to each city.

Commissioners to certify amounts required of each city, etc.

SECTION 10. For the purpose of defraying the cost of said bridge and approaches, and paying all expenses and costs incident thereto, each of said cities, as either may require, from time to time, may issue scrip or bonds, in excess of the limit allowed by law, to an amount not exceeding two hundred thousand dollars, each scrip or bond to be designated on the face thereof, Bridge Loan, in payment in whole or in part of the expenses and cost incurred by it under this act. Such scrip or bonds may bear interest, payable semi-annually, at a rate not exceeding four per cent. per annum, and shall be payable at such time, not less than ten nor more than forty years from their respective dates, as shall be determined by said cities by votes of their respective city councils and expressed upon the face of the bonds. Said cities may sell said scrip or bonds, or any part thereof, from time to time, or pledge the same for money borrowed for the above purposes; but the same shall not be sold or pledged for less than the face value thereof. The provisions of the tenth and eleventh sections of chapter twenty-nine of the Public Statutes shall, so far as applicable, apply to this act.

Bridge loan.

P. S. 29, §§ 10 and 11 to apply.

SECTION 11. After the construction of the said bridge and approaches the part thereof north of the middle line

Repair of bridge, liability for damages, etc.

Repair of
bridge, liability
for damages,
etc.

of said draw shall be maintained and kept in repair by the city of Cambridge, and said city shall be liable under the limitations of law for all damages resulting from and recovered by reason of any defect or want of repair of the same; and the part of the bridge and the approaches thereto south of the middle line of said draw shall be maintained and kept in repair by the city of Boston, and said city shall be liable under the limitations of law for all damages resulting from and recovered by reason of any defect or want of repair of the same; and the expense of operating and keeping in repair said draw shall be borne equally by the said cities.

Enforcement,
etc., of pro-
visions.

SECTION 12. The supreme judicial court or any justice thereof, and the superior court or any justice thereof, shall, in term time or vacation, on the petition of any city, corporation, person or persons interested, or of the attorney of any such petitioner, have jurisdiction in equity or otherwise to enforce and prevent the violation of any of the provisions of this act.

SECTION 13. This act shall take effect upon its passage.

Approved April 27, 1896.

Chap.316 AN ACT RELATIVE TO THE TRAVELING EXPENSES OF JUDGES AND
REGISTERS OF PROBATE AND INSOLVENCY.

Be it enacted, etc., as follows :

Traveling ex-
penses of judges
and registers of
probate and
insolvency.

SECTION 1. From and after the first day of January in the year eighteen hundred and ninety-six there shall be allowed and paid by their respective counties, to each of the judges and registers of probate and insolvency, the actual and proper traveling expenses incurred by them in the discharge of their duties in holding courts at other places than the county seat, upon a certified itemized statement of such expenses, made by them to the county commissioners of their respective counties and approved by said commissioners.

SECTION 2. This act shall take effect upon its passage.

Approved April 27, 1896.

Chap.317 AN ACT RELATIVE TO REMOVALS FROM THE REFORMATORY PRISON
FOR WOMEN.

Be it enacted, etc., as follows :

Certain prison-
ers may be
removed from
reformatory
prison for
women.

SECTION 1. Any prisoner who has been transferred from the industrial school for girls to the reformatory prison for women may be removed by the commissioners

of prisons from said prison to a house of correction or to the state farm, in the same manner as removals of other prisoners are now made from said prison.

SECTION 2. This act shall take effect upon its passage.

Approved April 27, 1896.

AN ACT RELATIVE TO THE FILLING OF VACANCIES IN ASSISTANT ASSESSORSHIPS FOR THE CITY OF LYNN.

Chap.318

Be it enacted, etc., as follows :

SECTION 1. If any person who is elected assistant assessor in the city of Lynn fails for any cause to accept said office, or any assistant assessor in said city resigns or for any cause becomes disqualified for the performance of the duties of said office, the board of assessors of said city shall elect some person, a legal resident in the ward in which said vacancy exists, to act as ward assessor for the term for which said person was elected.

Board of assessors to fill certain vacancies.

SECTION 2. All acts and parts of acts inconsistent herewith are hereby repealed.

Repeal.

SECTION 3. This act shall take effect upon its passage.

Approved April 27, 1896.

AN ACT RELATIVE TO SCHOOL COMMITTEES IN TOWNS.

Chap.319

Be it enacted, etc., as follows :

Section twenty-six of chapter forty-four of the Public Statutes is hereby amended by inserting after the word "committee", in the second line, the words :—and any town in which ballots for town officers are provided at the expense of the town may vote to so change the number of its school committee at a meeting, other than the annual meeting, called for the purpose and held thirty days at least before the annual meeting at which such change is to become operative,—so as to read as follows :—*Section 26.* A town may, at its annual meeting, vote to increase or diminish the number of its school committee; and any town in which ballots for town officers are provided at the expense of the town may vote to so change the number of its school committee at a meeting, other than the annual meeting, called for the purpose and held thirty days at least before the annual meeting at which such change is to become operative. Such increase shall be made by adding one or more to each class, to hold office according to the tenure of

P. S. 44, § 26, amended.

School committees in towns, how increased or diminished.

the class to which they are severally chosen. Such diminution shall be made by choosing, annually, such number as will in three years effect it, and a vote to diminish shall remain in force until the diminution under it is accomplished.

Approved April 27, 1896.

Chap.320 AN ACT RELATIVE TO PUBLIC PARKS IN THE CITY OF CAMBRIDGE.
Be it enacted, etc., as follows:

Taking of certain land in Cambridge for park purposes.

SECTION 1. If the city of Cambridge, under the authority heretofore granted to it, should deem it advisable to take and hold for park purposes, and should hereafter take and hold for park purposes, by purchase or otherwise, the whole or any part of the land in said city which is bounded northerly by Western avenue, easterly by Blackstone street, southerly by land of the Cambridgeport Dairy Company, easterly again by said land last named, southerly again by the northerly line of Albion street, and westerly by the westerly line of Ampere street, including Ampere street, it may thereupon exchange for other land or lands any land or lands within said territory now owned or held by it or which it may hereafter for park purposes take and hold, by purchase or otherwise, including Ampere street, upon such terms and agreements and in such manner as may be mutually agreed upon between said city and the owner or owners of such lands, or it may sell and convey the lands so taken and held, or any part thereof.

SECTION 2. This act shall take effect upon its passage.

Approved April 27, 1896.

Chap.321 AN ACT RELATIVE TO RAISING THE GRADE AND CHANGING THE LOCATION OF THE PROVIDENCE DIVISION OF THE NEW YORK, NEW HAVEN AND HARTFORD RAILROAD IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

Abolition of certain grade crossings in Boston.

SECTION 1. The commissioners appointed by the superior court, upon the petition of the directors of the Old Colony Railroad Company, for the alteration of the grade crossings of the railroad of that company and Tremont street in the city of Boston, and subsequently authorized by chapter four hundred and thirty-three of the acts of the year eighteen hundred and ninety-two to prescribe the manner in which all the grade crossings of the main line of the railroad of said company and highways in the city of Boston between Chester park and Blakemore

street should be abolished, or such other commissioners as may be appointed by the court for such purpose, are hereby authorized to consider whether public necessity and convenience require any additional land to be taken for railroad or highway purposes in connection with the abolition of such crossings, and if so to prescribe the limits within which the same may be taken. And said commissioners are also authorized to prescribe the manner in which the other grade crossings on the Providence division of the New York, New Haven and Hartford Railroad Company in the city of Boston shall be abolished, and they shall make a supplemental report in regard to the taking of such additional land and the abolition of such other crossings. The acceptance of such supplemental report shall be a taking of the land required to be taken for railroad and highway purposes, as therein specified, and all the provisions of the acts to which this act is an addition shall be applicable to such report and taking, and to the payment of the expense of making the changes required thereby, in the same manner as though said report had been authorized by the acts to which this act is an addition and had been included in and made a part of the reports heretofore filed and confirmed.

Abolition of
certain grade
crossings in
Boston.

SECTION 2. This act shall take effect upon its passage.

Approved April 27, 1896.

AN ACT MAKING APPROPRIATIONS FOR THE TOPOGRAPHICAL SURVEY AND MAP OF MASSACHUSETTS, THE MASSACHUSETTS EYE AND EAR INFIRMARY, AND FOR CERTAIN OTHER EXPENSES AUTHORIZED BY LAW.

Chap. 322

Be it enacted, etc., as follows:

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified in certain acts and resolves of the present year, and for certain other expenses authorized by law, to wit: —

Appropriations.

For the compensation of judges of probate and insolvency, for preparing rules of practice and procedure in courts of probate and insolvency, as authorized by chapter one hundred and ninety-four of the acts of the present year, a sum not exceeding twenty-five hundred dollars.

Judges of
probate and
insolvency.

For expenses in connection with the funeral of Frederic T. Greenhalge, late governor of the Commonwealth, as

Funeral of
Frederic T.
Greenhalge.

- authorized by chapter twenty-one of the resolves of the present year, a sum not exceeding fifteen thousand dollars.
- War records.** For completing the index of the war records and re-writing the war record books in the office of the adjutant general, as authorized by chapter twenty-two of the resolves of the present year, a sum not exceeding twenty-five hundred dollars.
- Drawing in public schools.** For the publication of an outline of lessons in drawing for ungraded schools, as authorized by chapter twenty-three of the resolves of the present year, a sum not exceeding one hundred and fifty dollars.
- Commissioners on topographical survey.** For the expenses of the commissioners on the topographical survey and map of Massachusetts, as authorized by chapter twenty-four of the resolves of the present year, a sum not exceeding ~~fifteen thousand~~ one hundred dollars.
- Course of studies for elementary schools.** For the publication of a new edition of the course of studies for elementary schools, as authorized by chapter twenty-five of the resolves of the present year, a sum not exceeding two hundred and fifty dollars.
- Report of commissioner of public records.** For printing extra copies of the seventh report of the commissioner of public records, as authorized by chapter twenty-six of the resolves of the present year, a sum not exceeding forty-two dollars.
- Report on condition of Charles river.** For printing and binding two thousand copies of the report of the joint board, consisting of the metropolitan park commission and the state board of health, on the condition of the Charles river, as authorized by chapter twenty-seven of the resolves of the present year, a sum not exceeding two thousand dollars.
- Liza Hemmenway.** For Liza Hemmenway, a member of the Hassanamisco tribe of Indians, as authorized by chapter twenty-eight of the resolves of the present year, the sum of three hundred dollars.
- Massachusetts Charitable Eye and Ear Infirmary.** For the Massachusetts Charitable Eye and Ear Infirmary, as authorized by chapter twenty-nine of the resolves of the present year, the sum of twenty thousand dollars.
- Abandoned farms.** For the collection and circulation of information relating to abandoned farms, as authorized by chapter thirty-one of the resolves of the present year, a sum not exceeding one thousand dollars.
- Lunatic hospital at Northampton.** For certain improvements at the state lunatic hospital at Northampton, as authorized by chapter thirty-two of the resolves of the present year, a sum not exceeding twenty-five thousand dollars.

For printing extra copies of the report of the Massachusetts highway commission, as authorized by chapter thirty-three of the resolves of the present year, a sum not exceeding two hundred and seventy dollars.

Report of
Massachusetts
highway com-
mission.

For Mary O. Johnson, as authorized by chapter thirty-four of the resolves of the present year, the sum of eighteen hundred sixty dollars and twenty-two cents.

Mary O.
Johnson.

For additional copies of the report of the board of harbor and land commissioners for the year eighteen hundred and ninety-five, as authorized by chapter thirty-five of the resolves of the present year, a sum not exceeding one hundred and eighty-two dollars.

Report of har-
bor and land
commissioners.

For furnishing certain books to the town of Duxbury, as authorized by chapter thirty-six of the resolves of the present year, a sum not exceeding three hundred and twenty-six dollars.

Books to town
of Duxbury.

For Michael Harran, the sum of thirty-five dollars; and for the town of Westfield, the sum of ten dollars; said amounts being authorized by chapter thirty-seven of the resolves of the present year.

Michael Harran
and town of
Westfield.

For Robert T. Swan, as authorized by chapter thirty-nine of the resolves of the present year, the sum of fourteen dollars and fifty-six cents.

Robert T.
Swan.

For furnishing the new buildings of the Medfield insane asylum, as authorized by chapter forty-one of the resolves of the present year, a sum not exceeding thirty thousand dollars.

Medfield insane
asylum.

For printing additional copies of the report of the board of registration in medicine, as authorized by chapter forty-two of the resolves of the present year, a sum not exceeding fifteen dollars.

Report of
board of
registration
in medicine.

For erecting in the state house, or on the state house grounds, an equestrian statue in bronze of the late Major General Joseph Hooker, as authorized by chapter forty-three of the resolves of the present year, a sum not exceeding fifty thousand dollars.

Statue of
Major General
Joseph Hooker.

For clerical assistance in the office of the register of probate and insolvency for the county of Hampden, as authorized by chapter two hundred and nineteen of the acts of the present year, a sum not exceeding six hundred dollars.

Clerical
assistance.

SECTION 2. This act shall take effect upon its passage.

Approved April 27, 1896.

Chap.323 AN ACT TO AUTHORIZE THE FIRST CONGREGATIONAL CHURCH OF NANTUCKET TO SELL ITS LANDS.

Be it enacted, etc., as follows :

May authorize
the conveyance
of real estate.

SECTION 1. The religious society in Nantucket known as the First Congregational Church may at any meeting, in the call for which notice has been given of the object of the meeting, by majority vote authorize one or more persons in its name and behalf to sell and convey any real estate belonging to it, and any recitals by such persons in the conveyances made by them that they have been duly authorized to make such conveyances shall be prima facie evidence of that fact.

SECTION 2. This act shall take effect upon its passage.

Approved April 27, 1896.

Chap.324 AN ACT TO EXTEND THE TIME FOR TAKING LAND FOR A PUBLIC PARK IN THE CITY OF SOMERVILLE.

Be it enacted, etc., as follows :

1893, 188, § 1,
amended.

May take cer-
tain land for a
public park.

SECTION 1. Section one of chapter one hundred and eighty-eight of the acts of the year eighteen hundred and ninety-three is hereby amended by striking out the word "three", in the second line, and inserting in place thereof the word : — six, — so as to read as follows : — *Section 1.* The city of Somerville by its city council may, at any time within six years after the passage of this act, take, maintain and hold, in fee or otherwise, and by gift, upon such conditions as the city council may deem advisable, or by purchase or otherwise, for the purpose of a public park, Wyatt's pit, so-called, located in ward two of said city and near to and southerly of Washington street, and near to and southwesterly of the Fitchburg railroad, and so much as said city council shall from time to time deem advisable, of the lands comprised within said Wyatt's pit, or adjacent thereto or in the vicinity thereof, and comprised within the tract containing one hundred fifty-four thousand four hundred square feet, more or less, now or formerly owned by the North Packing and Provision Company and Charles Linehan, and within the tract containing two hundred thirty-six thousand three hundred and ninety square feet, more or less, and formerly owned by Daniel A. Sanborn and known as the Sanborn field.

SECTION 2. Section four of said chapter one hundred and eighty-eight is hereby amended by striking out the words "laying out or maintaining", in the second line, and inserting in place thereof the words:—or laying out,—so as to read as follows:—*Section 4.* No money shall be appropriated at any time for the taking, purchasing or laying out of said park, except upon a two thirds vote of each branch of the city council, taken by ye and nay.

1893, 188, § 4, amended.

No money to be appropriated except upon two thirds vote of city council.

SECTION 3. This act, except as provided in the following section, shall not take effect unless accepted by said city of Somerville upon a majority vote of each branch of the city council, taken by ye and nay.

To take effect upon acceptance.

SECTION 4. So much of this act as authorizes the submission of the question of its acceptance to the city council of Somerville shall take effect upon its passage.

Submission of question of acceptance.

Approved April 27, 1896.

AN ACT TO AUTHORIZE THE CITY OF LOWELL TO INCUR INDEBTEDNESS BEYOND THE LIMIT FIXED BY LAW, FOR THE PURPOSE OF ERECTING NEW SCHOOL BUILDINGS.

Chap. 325

Be it enacted, etc., as follows:

SECTION 1. The city of Lowell, for the purpose of purchasing land and erecting thereon new school buildings in said city, may incur indebtedness to an amount not exceeding two hundred thousand dollars beyond the limit of indebtedness fixed by law for said city, and may from time to time issue negotiable notes, bonds or scrip therefor, properly denominated on the face thereof, and signed by its treasurer and countersigned by its mayor, payable in periods not exceeding thirty years from the date of issue, and bearing interest at a rate not exceeding four per cent. per annum.

May incur indebtedness beyond debt limit, issue bonds, etc.

SECTION 2. The provisions of chapter twenty-nine of the Public Statutes and of chapter one hundred and twenty-nine of the acts of the year eighteen hundred and eighty-four shall otherwise apply to the issue and sale of such bonds, notes or scrip, and to the establishment of a sinking fund for the payment thereof at maturity.

P. S. 29, etc., to apply.

SECTION 3. This act shall take effect upon its passage.

Approved April 27, 1896.

Chap.326 AN ACT RELATIVE TO EXTRA CLERICAL ASSISTANCE IN THE OFFICE OF THE TREASURER AND RECEIVER GENERAL OF THE COMMONWEALTH.

Be it enacted, etc., as follows :

Extra clerical assistance.

SECTION 1. The treasurer and receiver general of the Commonwealth may expend for such extra clerical assistance in his office as may be necessary for the proper despatch of public business, a sum not exceeding twenty-five hundred dollars a year, in addition to the amounts now authorized by law.

SECTION 2. This act shall take effect upon its passage.

Approved April 27, 1896.

Chap.327 AN ACT TO IMPOSE A PENALTY FOR REFUSAL TO MAKE REPORTS OR FOR MAKING FALSE REPORTS TO THE BOARD OF COMMISSIONERS OF SAVINGS BANKS.

Be it enacted, etc., as follows :

Penalty for making false statement, etc., to commissioners of savings banks.

Any officer, agent, clerk or servant of a corporation, who refuses or neglects to make any report or statement lawfully required by the board of commissioners of savings banks, or who knowingly makes a false report or statement to such board, shall be punished by imprisonment in the house of correction for a term not exceeding three years, or by fine not exceeding one thousand dollars, or by both such fine and imprisonment.

Approved April 27, 1896.

Chap.328 AN ACT TO AUTHORIZE THE SALE OF A MEETING HOUSE AND GROUNDS IN THE TOWN OF DOUGLAS.

Be it enacted, etc., as follows :

May sell certain land with church building, etc.

SECTION 1. The owners of the tract of land, with a church building thereon, situated on the south side of Main street in the village of East Douglas in the town of Douglas, bounded and described in a deed from Nahum Legg to Parley Brown and Caleb Legg, dated on the eighteenth day of June in the year eighteen hundred and forty-two and recorded in book three hundred and seventy, page two hundred and seventy-three, of Worcester land records, may sell and convey the same free and discharged from all trusts, and shall give the proceeds to the New England Conference of the Methodist Episcopal Church.

SECTION 2. This act shall take effect upon its passage.

Approved April 27, 1896.

AN ACT TO EXTEND THE PROVISIONS OF AN ACT AUTHORIZING THE TOWN OF WHITMAN TO TAKE AN ADDITIONAL WATER SUPPLY. *Chap.329*

Be it enacted, etc., as follows :

SECTION 1. The provisions of chapter four hundred and forty-two of the acts of the year eighteen hundred and ninety-three are hereby extended for the period of three years from and after the ninth day of June in the year eighteen hundred and ninety-six. Provisions extended.

SECTION 2. This act shall take effect upon its passage.

Approved April 27, 1896.

AN ACT MAKING AN APPROPRIATION FOR DREDGING IN BOSTON HARBOR. *Chap.330*

Be it enacted, etc., as follows :

SECTION 1. The sum of one hundred and fifty thousand dollars is hereby appropriated, to be paid out of the treasury of the Commonwealth, to be expended by the board of harbor and land commissioners in connection with the income of the Harbor Compensation Fund, in deepening by dredging such areas in Boston harbor lying below the bridges and between the main ship channel and a line fifty feet outside of the harbor line, as said board may deem wise and proper. Dredging in Boston harbor.

SECTION 2. This act shall take effect upon its passage.

Approved April 28, 1896.

AN ACT TO PROVIDE CLERICAL ASSISTANCE FOR THE CLERK OF THE POLICE COURT OF SPRINGFIELD. *Chap.331*

Be it enacted, etc., as follows :

SECTION 1. The clerk of the police court of Springfield shall be allowed for clerical assistance, upon his certificate that the work was actually performed and was necessary, with the time occupied and the names of the persons by whom the work was performed, such sums, not exceeding three hundred dollars in any one year, as the county commissioners for the county of Hampden, by a writing signed by them, approve. Said sums shall be paid from the treasury of said county monthly to the person or persons employed. Clerical assistance.

SECTION 2. This act shall take effect upon its passage.

Approved April 28, 1896.

Chap. 332 AN ACT RELATIVE TO THE LICENSING AND REGULATING OF STABLES
IN CITIES

Be it enacted, etc., as follows :

1896, 218, § 1,
amended.

The erection,
etc., of stables
in certain cities
regulated.

SECTION 1. Section one of chapter two hundred and thirteen of the acts of the year eighteen hundred and ninety-five is hereby amended by striking out in the third line, the word "fifty", and inserting in place thereof the word: — twenty-five, — so that said section as amended will read as follows: — *Section 1.* No person shall hereafter erect, occupy or use for a stable any building in any city whose population exceeds twenty-five thousand, unless first licensed so to do by the board of health of said city, and in such case only to the extent so licensed.

SECTION 2. This act shall take effect upon its passage.

Approved April 28, 1896.

Chap. 333 AN ACT TO AUTHORIZE THE UNION SOCIETY AND THE SALEM STREET
SOCIETY OF THE CITY OF WORCESTER TO UNITE.

Be it enacted, etc., as follows :

The Union
Society and
Salem Street
Society of
Worcester
may unite.

SECTION 1. The Union Society of the city of Worcester and the Salem Street Society of said city are hereby authorized to unite with each other, upon such terms as have been or may be mutually agreed upon by the vote of said corporations at meetings called for that purpose; and such votes so passed by said corporations respectively shall be effectual to unite said corporations within the intent and meaning of this act.

Union Society
of the City of
Worcester,
powers,
privileges, etc.

SECTION 2. The name of the united corporation authorized by this act shall be the Union Society of the City of Worcester, and said corporation shall have and enjoy all the franchises, powers, privileges, property and rights of every kind belonging to the said Union Society and the said Salem Street Society, or either of them, and shall assume and be subject to all the duties, debts and liabilities of said corporations, or either of them, and shall be subject to all general laws which now are or hereafter may be in force relating to religious corporations.

First meeting.

SECTION 3. The first meeting of the corporation hereby authorized to be established, for the purpose of organizing said corporation by the adoption of by-laws and the election of officers, may be called by the chairmen of the

standing committees of said existing corporations, or by any two of them, and notice shall be given of the time and place of said meeting by posting up a copy of said call upon the principal outer door of the meeting house of each of said existing corporations seven days at least before the day of said meeting; and a certificate, signed and sworn to by said chairmen and recorded by the clerk of said united corporation upon its book of records that such notice was given shall be evidence thereof.

SECTION 4. The books of record and other books and papers of said existing corporations shall be and remain the property and under the control of said united corporation. A certified copy of the vote of each of said existing corporations, agreeing to the union authorized by this act, and a certificate of the organization of the corporation hereby authorized, signed by the presiding and recording officers, shall be recorded in the Worcester district registry of deeds, and said record shall be evidence of the establishment of said united corporation.

Books of record, etc.

Copy of vote, etc., to be recorded.

SECTION 5. This act shall take effect upon its passage.

Approved April 28, 1896.

AN ACT RELATIVE TO THE WEEKLY PAYMENT OF WAGES BY CONTRACTORS.

Chap. 334

Be it enacted, etc., as follows :

SECTION 1. Section one of chapter four hundred and thirty-eight of the acts of the year eighteen hundred and ninety-five is hereby amended by inserting after the word "to", in the fourth line, the words:—all contractors and to,—also by inserting after the word "such", in the eighth line, the word:—contractors,—so that the section as amended will read as follows:—*Section 1.* Sections fifty-one to fifty-four, inclusive, of chapter five hundred and eight of the acts of the year eighteen hundred and ninety-four, relative to the weekly payment of wages by corporations, shall apply to all contractors and to any person or partnership engaged in this Commonwealth in any manufacturing business and having more than twenty-five employees. And the word "corporation", as used in said sections, shall include such contractors, persons and partnerships.

1895, 438, § 1, amended.

Weekly payment of wages by contractors, etc.

SECTION 2. This act shall take effect upon its passage.

Approved April 28, 1896.

Chap.335 AN ACT TO AUTHORIZE THE APPOINTMENT OF AN EXAMINER FOR
THE INSURANCE DEPARTMENT.

Be it enacted, etc., as follows :

Insurance com-
missioner may
appoint an
examiner.

SECTION 1. The insurance commissioner is hereby authorized to appoint, in the same manner in which under the provisions of law he may appoint a deputy commissioner, an examiner for the insurance department, at an annual salary of two thousand dollars.

SECTION 2. This act shall take effect upon its passage.

Approved April 28, 1896.

Chap.336 AN ACT MAKING AN APPROPRIATION FOR CONTINUING THE WORK
OF EXTERMINATING THE GYPSY MOTH.

Be it enacted, etc., as follows :

Extermination
of the gypsy
moth.

SECTION 1. The sum of ten thousand dollars is hereby appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, to be expended under the direction of the state board of agriculture for continuing the work of extermination of the gypsy moth.

SECTION 2. This act shall take effect upon its passage.

Approved April 28, 1896.

Chap.337 AN ACT PROVIDING FOR A CLERK FOR THE DISTRICT COURT OF
EASTERN HAMPDEN.

Be it enacted, etc., as follows :

Clerk of district
court of eastern
Hampden.

SECTION 1. There shall be a clerk of the district court of eastern Hampden, who shall receive an annual salary of five hundred dollars from and after the first day of April in the year eighteen hundred and ninety-six.

SECTION 2. This act shall take effect upon its passage.

Approved April 28, 1896.

Chap.338 AN ACT RELATIVE TO ACCIDENTS FROM GAS OR ELECTRICITY.

Be it enacted, etc., as follows :

Certain acci-
dents caused by
gas or electricity
to be reported
to gas and elec-
tric light com-
missioners.

SECTION 1. The chief of police in any city or town and the medical examiner in any district in which a person, corporation or municipality is engaged in the business of manufacturing and selling gas or electricity for lighting or for fuel, shall make a written report to the board of gas and electric light commissioners of every

accident caused by the gas or electricity manufactured or supplied by such person, corporation or municipality, whereby any person shall suffer bodily injury or loss of life or be rendered insensible, stating the time, place and circumstances of the accident. Such report shall be made by the chief of police within twenty-four hours and by the medical examiner within seven days after notice of said accident.

SECTION 2. This act shall take effect upon its passage.

Approved April 28, 1896.

AN ACT TO PREVENT IMMORAL SHOWS AND ENTERTAINMENTS.

Chap.339

Be it enacted, etc., as follows :

SECTION 1. Whoever in connection with any show or entertainment, whether public or private, either as owner, manager or director, or in any other capacity, uses or causes or permits to be used, a phonograph or other contrivance, instrument or device, which utters or gives forth any profane, obscene or impure language, shall be punished by a fine not exceeding five hundred dollars, or by imprisonment in the house of correction or jail not exceeding one year, or by both such fine and imprisonment.

Penalty for using phonograph, etc., which utters obscene or impure language, etc.

SECTION 2. Whoever as owner, manager, director, agent, or in any other capacity, prepares, advertises, gives, presents or participates in any obscene, indecent, immoral or impure show or entertainment, or in any show or entertainment manifestly tending to corrupt the morals of youth, shall be punished by a fine not exceeding five hundred dollars, or by imprisonment in the jail or house of correction not exceeding one year, or by both such fine and imprisonment.

Penalty for participating, etc., in an immoral or indecent show.

SECTION 3. This act shall take effect upon its passage.

Approved April 28, 1896.

AN ACT TO AUTHORIZE THE CITY OF NEWTON AND THE TOWN OF BROOKLINE TO MAKE CONTRACTS FOR THE DISPOSAL OF SEWAGE.

Chap.340

Be it enacted, etc., as follows :

SECTION 1. The town of Brookline and the city of Newton are hereby authorized and empowered to enter into any contracts, upon such terms as may be mutually agreed upon, for the disposal of sewage from said city of Newton into and through the sewers of said town of Brookline; and when such contracts have been duly made

Disposal of sewage from Newton into and through sewers of Brookline.

and executed said city of Newton is hereby authorized to dispose of its sewage into and through said sewers of the town of Brookline.

SECTION 2. This act shall take effect upon its passage.

Approved April 28, 1896.

Chap. 341 AN ACT TO PROVIDE FOR REBUILDING THE BRIDGE OVER TAUNTON GREAT RIVER BETWEEN DIGHTON AND BERKLEY.

Be it enacted, etc., as follows :

To rebuild
bridge over
Taunton Great
River between
Dighton and
Berkley, etc.

SECTION 1. The county commissioners of the county of Bristol are hereby authorized and required to rebuild the bridge over Taunton Great River, between the towns of Dighton and Berkley in said county, and to replace the bridge there now existing with an iron or steel structure, and with a suitable and convenient draw for the passage of vessels; and said commissioners after due public notice and hearing may assess the cost thereof upon said county and such cities and towns therein as in their judgment derive a special benefit therefrom, or they may assess the whole cost of the same upon said county if deemed by them just and reasonable; and after said bridge has been reconstructed the cost of maintaining and repairing the same and of tending the draw shall be paid by said county, or by such cities and towns therein as said commissioners shall determine, or partly by said county and by said cities and towns, and in such proportions as said commissioners shall determine. All work done under this act shall be subject to the provisions of chapter nineteen of the Public Statutes.

Subject to
P. S. 19.

To borrow
on credit of
county.

SECTION 2. The county commissioners of said county are authorized to borrow on the credit of said county a sum not exceeding twenty-five thousand dollars, for the purpose of carrying into effect the provisions of this act.

SECTION 3. This act shall take effect upon its passage.

Approved April 28, 1896.

Chap. 342 AN ACT RELATIVE TO LEGISLATIVE COUNSEL AND AGENTS.

Be it enacted, etc., as follows :

Legislative
counsel and
agents to file
written author-
ization to act.

SECTION 1. Legislative counsel and agents who are required by section one of chapter four hundred and fifty-six of the acts of the year eighteen hundred and ninety, or by any acts in addition thereto or in amendment thereof, to have their names entered upon the legislative

docket, shall file with the sergeant-at-arms of the general court, within ten days from the date of making such entry, a written authorization to act as such counsel or agents, signed by the person or corporation for whom they claim to act.

SECTION 2. Any legislative counsel or agent who fails **Penalty.** to comply with the provisions of this act shall be fined not more than one thousand dollars, or shall be declared by the court trying the case to be disqualified from acting as legislative counsel or agent for the period of three years, or may be punished by both such fine and disqualification.

SECTION 3. It shall be the duty of the attorney-general, upon information thereof, to institute prosecutions **Prosecutions.** for the violation of the provisions of this act.

Approved April 28, 1896.

AN ACT REGULATING THE PLACING OF TRAVERSING MACHINERY **Chap.343**
IN COTTON FACTORIES.

Be it enacted, etc., as follows :

SECTION 1. No traversing carriage of any self-acting mule in any cotton factory shall be allowed to travel within twelve inches of any pillar, column, pier or fixed structure, provided that this section shall only apply to factories erected after the passage of this act. **Use of traversing machinery in cotton factories regulated.**

SECTION 2. If the provisions of this act are violated **Penalty.** in any such cotton factory the owner of such factory shall be punished by a fine of not less than twenty dollars nor more than fifty dollars for each offence.

Approved April 28, 1896.

AN ACT TO PROVIDE FOR THE PUNISHMENT OF CONVICTS WHO **Chap.344**
WILFULLY DESTROY PROPERTY AT THE STATE PRISON, REFORMATORIES AND HOUSES OF CORRECTION.

Be it enacted, etc., as follows :

If a convict in the state prison, the reformatory prison for women, the Massachusetts reformatory, or any house of correction, wilfully or wantonly destroys or injures the property of the Commonwealth, or of any county, or the property of any person who furnishes materials for the employment of the prisoners in any of said institutions, such convict may be punished by imprisonment for not less than six months nor more than three years. **Penalty for destruction, etc., of property by convicts.**

Offences under this act committed in the state prison shall be punished by imprisonment therein, and offences committed in the reformatory prison for women, the Massachusetts reformatory or any house of correction, shall be punished by imprisonment in the house of correction.

Approved April 28, 1896.

Chap.345

AN ACT RELATIVE TO STATE HIGHWAYS.

Be it enacted, etc., as follows:

Construction,
etc., of state
highways.

Sidewalks.

State roads to
be kept clear of
snow and ice,
etc.

Copy of
petition may
be filed with
county com-
missioners.

SECTION 1. When a highway is laid out as a state road the Massachusetts highway commission shall construct and maintain that portion of the way between the inside lines of sidewalks upon either side. The sidewalks of said road may be constructed and maintained in accordance with the Public Statutes and amendments thereto, and the provisions of section six of chapter four hundred and ninety-seven of the acts of the year eighteen hundred and ninety-four shall only apply to that portion of the way between the inside lines of sidewalks. The inside lines of sidewalks referred to in this section are those lines which are nearest to the centre of the highway.

SECTION 2. A city or town in which a state road lies shall at its own expense keep such road sufficiently clear of snow and ice so that the same shall be reasonably safe for travel, as now required by the Public Statutes and amendments thereto.

SECTION 3. Instead of filing the original petition with the county commissioners, as now required by section two of chapter four hundred and ninety-seven of the acts of the year eighteen hundred and ninety-four, it shall hereafter be sufficient to file a copy thereof with said county commissioners.

SECTION 4. This act shall take effect upon its passage.

Approved April 28, 1896.

Chap.346

AN ACT RELATIVE TO THE BONDS OF TREASURERS OF MANUFACTURING AND OTHER CORPORATIONS.

Be it enacted, etc., as follows:

Sureties on
certain bonds.

SECTION 1. Whenever, under the provisions of section twenty-six of chapter one hundred and six of the Public Statutes, it becomes necessary for the treasurer of a manufacturing or other corporation subject to the provisions of said chapter and of acts amendatory thereof, to give

bond for the faithful discharge of his duty, he may give a bond in which any company organized under the laws of this state, or chartered by any other state or government, to transact fidelity insurance or corporate suretyship, and authorized to do business in this Commonwealth, may be surety, or may be jointly and severally bound with such treasurer or with any other officer or employee. Such bond shall be in a form to be approved by the commissioner of corporations, and an attested copy thereof, with a certificate of the custodian that the original is in his possession, shall be filed with the commissioner of corporations.

Form of bond
to be approved.

SECTION 2. This act shall take effect upon its passage.

Approved April 28, 1896.

AN ACT RELATIVE TO THE SALARY OF THE LIEUTENANT GOVERNOR.

Chap. 347

Be it enacted, etc., as follows:

SECTION 1. Section two of chapter fifteen of the Public Statutes is hereby amended by adding at the end of said section the following: — *provided*, that if the office of governor shall be vacant for any cause for a period of more than thirty days the salary of the lieutenant governor shall be at the rate of eight thousand dollars per year during the time he shall perform the duties of governor by reason of such vacancy.

P. S. 15, § 2,
amended.

Proviso.

SECTION 2. This act shall take effect upon its passage.

Approved April 29, 1896.

AN ACT RELATIVE TO SERVICE MEDALS IN THE MILITIA.

Chap. 348

Be it enacted, etc., as follows:

SECTION 1. Any officer or enlisted man in the militia who has completed, or who hereafter completes, nine years' honorable service in said militia, whether continuous or otherwise, shall be allowed a medal, and for each additional five years' like service he shall be allowed a bar or clasp.

Militia service
medals.

SECTION 2. Section one hundred and twenty-seven of chapter three hundred and sixty-seven of the acts of the year eighteen hundred and ninety-three is hereby amended by striking out the last sentence of said section, namely: — “ Any officer or enlisted man in the militia service on the first day of January in the year eighteen hundred and ninety-one, who had rendered nine years' honorable ser-

1893, 367, § 127,
amended.

vice, and any officer or enlisted man thereafter completing a like service, shall be allowed a medal, and for each additional five years' like service theretofore or thereafter rendered he shall be allowed a bar or clasp."

SECTION 3. This act shall take effect upon its passage.

Approved May 1, 1896.

Chap.349 AN ACT TO CONFIRM THE PROCEEDINGS OF THE ANNUAL TOWN MEETING OF THE TOWN OF SHIRLEY.

Be it enacted, etc., as follows :

Proceedings of town meeting of Shirley confirmed.

SECTION 1. The proceedings of the annual town meeting of the town of Shirley, held on the sixteenth day of March in the year eighteen hundred and ninety-six, shall not be invalid by reason of the omission in the warrant calling such meeting of a specific article for acceptance of town by-laws.

SECTION 2. This act shall take effect upon its passage.

Approved May 1, 1896.

Chap.350 AN ACT TO PROVIDE ADDITIONAL ACCOMMODATION FOR THE COURTS OF THE COUNTY OF WORCESTER, SITTING AT WORCESTER.

Be it enacted, etc., as follows :

To erect an addition to county court house at Worcester.

SECTION 1. The county commissioners of the county of Worcester are hereby authorized to provide additional accommodations for the several courts of said county sitting at Worcester, by the erection of an addition to the present county court house in said city. The expense incurred for building said addition, including the amount expended for land, shall not exceed the sum of three hundred and fifty thousand dollars; and said commissioners shall make no contracts calling for a larger expenditure, in the aggregate, for said purpose than the amount herein specified.

Plans, etc., to be approved.

SECTION 2. No contracts shall be made for the construction of said building until plans, together with detailed estimates of cost from reliable parties, who are willing and prepared to furnish bonds with satisfactory sureties for the actual performance of the work and the furnishing of the materials for the amounts specified in said estimates, have been submitted to a board to consist of the judge of probate, the clerk of courts and the county treasurer for the county of Worcester, and approved by said board. And such approval shall not be

given to any plans so submitted until said board is fully satisfied that the cost of the building, together with the cost of land, will not exceed the amount of three hundred and fifty thousand dollars.

SECTION 3. The county commissioners after said plans have been so approved shall advertise for proposals for said work. Such advertisements shall be published in at least two daily newspapers in the city of Boston, and in at least two daily newspapers in the city of Worcester, for at least two weeks successively prior to the time specified therein for opening said proposals; and said proposals shall not specify any particular party or parties from whom the person receiving the contract shall purchase his materials. The contracts for said work shall be awarded to the lowest responsible bidder, but shall not be so awarded by the county commissioners until said contracts have been approved by the board provided for in section two of this act, said boards having the right to reject any or all bids.

To advertise for proposals for work, etc.

Awarding of contracts.

SECTION 4. At the end of every contract awarded under this act shall be inserted the following clause: — But said party of the second part shall not receive any sum in addition to the sum named in this contract for any additional work done or material furnished, or for any other matter or claim whatever, unless, before the additional work or material or matter of the claim shall be done or furnished, the board constituted by chapter three hundred and fifty of the acts of the year eighteen hundred and ninety-six shall first approve the same and the additional sum or sums to be paid therefor.

Clause to be inserted in every contract.

SECTION 5. Said county commissioners are hereby authorized to take and hold, by purchase or otherwise, such land, rights of way and easements as they may deem necessary in the city of Worcester adjoining, or in the immediate vicinity of, the land on which the court houses now standing in the city of Worcester are located, for the purpose of erecting new buildings thereon for the accommodation of the courts of the Commonwealth and for county offices and purposes.

May take land, rights of way, etc.

SECTION 6. Said commissioners shall, within sixty days after the taking of any land, right of way or easements under this act, otherwise than by purchase, file and cause to be recorded in Worcester district registry of deeds a description thereof sufficiently accurate for iden-

Description of land, etc., to be recorded.

tification, with a statement of the purpose for which the same were taken, signed by said county commissioners; and the title of the lands so taken shall vest in said county in fee.

Damages.

SECTION 7. Said county shall pay all damages sustained by any persons in their property by reason of such taking; and if any person sustaining damage and said commissioners fail to agree as to the amount of damages so sustained, said person or said commissioners may, within one year from such taking, file in the office of the clerk of the superior court for said county of Worcester a petition for a jury to determine such damages; and thereupon, after such notice as said court shall order, the damages shall be determined by a jury in said court, in the same manner as damages for lands taken for highways in the city of Worcester, and costs shall be taxed as in civil cases.

Payment of expenses, etc.

SECTION 8. In order to meet the expenses incurred under this act the county commissioners may borrow, on the credit of said county, a sum not exceeding three hundred and fifty thousand dollars. The indebtedness so incurred by said county shall be paid out of the amounts received for taxes, as follows: Fifteen thousand dollars in the years eighteen hundred and ninety-seven, eighteen hundred and ninety-eight, eighteen hundred and ninety-nine and nineteen hundred, and forty thousand dollars in each subsequent year, until the whole indebtedness is paid.

Receiving of certain bids to be authority to borrow money, etc.

SECTION 9. The receiving by the county commissioners of bids from responsible parties for the complete construction of the building authorized under this act, within a sum which with the cost of the land purchased under this act shall not exceed the sum of three hundred and fifty thousand dollars, shall be a condition precedent to the authority of said commissioners to borrow money under this act, except for procuring plans and specifications and for the purchase of land, as provided in section five of this act.

SECTION 10. This act shall take effect upon its passage.

Approved May 1, 1896.

AN ACT TO LEGALIZE THE PROCEEDINGS OF CERTAIN TOWN OFFICERS OF THE TOWN OF ESSEX.

Chap.351

Be it enacted, etc., as follows :

SECTION 1. The action of the selectmen of the town of Essex in filling the vacancy in the office of the town clerk of said town, occurring in the year eighteen hundred and ninety-five, and the acts of the board of registrars of voters of which said town clerk, appointed to fill said vacancy, was a member, shall not be invalid by reason of any failure to comply with the provisions of section twenty-eight of chapter four hundred and seventeen of the acts of the year eighteen hundred and ninety-three, relative to political representation on boards of registrars of voters.

Proceedings of certain town officers of Essex legalized.

SECTION 2. This act shall take effect upon its passage.

Approved May 1, 1896.

AN ACT TO AUTHORIZE THE WEST ROXBURY AND ROSLINDALE STREET RAILWAY COMPANY TO EXTEND ITS RAILWAY.

Chap.352

Be it enacted, etc., as follows :

SECTION 1. The West Roxbury and Roslindale Street Railway Company may extend and operate its railway into and through the town of Dedham, with all the powers and privileges and subject to all the duties, liabilities and restrictions which now are or hereafter may be in force relating to street railways.

May extend its railway into Dedham, etc.

SECTION 2. Said company may construct and operate its railway over private property with the consent of the owners of said property, and may acquire land by purchase or lease for such purpose.

May acquire land, etc.

SECTION 3. This act shall take effect upon its passage.

Approved May 1, 1896.

AN ACT TO ESTABLISH THE DISTRICT COURT OF FRANKLIN.

Chap.353

Be it enacted, etc., as follows :

SECTION 1. The several towns in the county of Franklin shall constitute a judicial district under the jurisdiction of a court, to be called the District Court of Franklin.

District Court of Franklin.

SECTION 2. There shall be one justice, two special justices and a clerk of said court. The justice shall receive from the county of Franklin an annual salary of fifteen hundred dollars, and the clerk an annual salary

Justices, clerk, etc.

of seven hundred dollars. The justice, special justices and clerk shall be severally allowed their travelling expenses necessarily incurred when holding sessions of said court out of the towns where they severally reside, to be audited and allowed by the county commissioners of said county.

Sittings of court.

SECTION 3. Sittings of said court for criminal business shall be held daily, except on Sundays and legal holidays, at Greenfield, at Orange, at Turners Falls in the town of Montague, at Shelburne Falls in the town of Shelburne, or in the town of Buckland, or at either or any two or more of said places, as public convenience may require. Sittings of said court for the transaction of civil business shall be held at Greenfield on the first Saturday of each month, at Orange on the second Saturday of each month, at Shelburne Falls aforesaid on the third Saturday of each month, and at Turners Falls aforesaid on the fourth Saturday of each month.

Clerk need not attend certain sessions, etc.

SECTION 4. The clerk of said court need not attend its sessions held in any other place than Greenfield, unless requested to do so by the justice. When said clerk is not in attendance the justice shall keep a record of the proceedings had before him, which he shall transmit to said clerk, to be entered by him upon the docket and records of said court. Said justice shall also account with and pay over to said clerk all fines, costs and fees received by him.

First session, etc.

SECTION 5. The first session of said court shall be held on the first day of July in the year eighteen hundred and ninety-six; but nothing herein shall affect any suit or other proceeding begun prior to said first day of July. All the provisions of law applicable to district courts shall apply to said court.

SECTION 6. This act shall take effect upon its passage.

Approved May 1, 1896.

Chap. 354 AN ACT TO AUTHORIZE THE TOWN OF PEABODY TO SELL A PORTION OF ITS PUBLIC PARK.

Be it enacted, etc., as follows:

Certain parcel of land may be conveyed to William Perkins, etc.

SECTION 1. The inhabitants of the town of Peabody are hereby authorized and empowered to sell and convey to William Perkins, second, of said Peabody, in fee simple and free from all trusts, a parcel of land situated

in said Peabody, hereinafter described, and being a part of the public park of said town, in exchange for another parcel of land situated in said town and adjoining said park, to be conveyed by said Perkins to said town as and for a part of said park; the portion of said park to be conveyed by said town to said Perkins being bounded and described as follows, namely: Beginning at the southerly corner thereof, by the wall at a stake at land formerly of Upton, and thence running northeasterly and northerly by said wall and said Upton land, three hundred and four feet to a stake at land of Perkins; thence running northwesterly in a direct line by land of Perkins, one hundred and fifty feet to a stake at land of Perkins; thence running southwesterly by land of Perkins, one hundred and three feet to a stake; thence running in a direct line south sixteen and one fourth degrees east, by compass, three hundred and ninety-three feet to the point of beginning; containing thirty-two thousand one hundred and eighty square feet, and being part of the land conveyed to said town by Mary S. Walker and others by deed dated the seventh day of May in the year eighteen hundred and ninety-five, recorded with Essex south district deeds, in book fourteen hundred and forty-six, page two hundred and sixty.

Certain parcel of land may be conveyed to William Perkins, etc.

SECTION 2. This act shall take effect upon its passage.

Approved May 1, 1896.

AN ACT RELATIVE TO APPEALS BY MUNICIPAL CORPORATIONS.

Chap. 355

Be it enacted, etc., as follows:

SECTION 1. Section twenty-nine of chapter one hundred and fifty-five of the Public Statutes is hereby amended by adding at the end thereof the words:—*provided, however, that if any such appeal is taken by a county, city or other municipal corporation, no bond or recognizance shall be required,—so that said section as amended will read as follows:—*Section 29. No appeal from a judgment of a trial justice, in any civil action or proceeding, except actions under chapter one hundred and seventy-five, shall be allowed, except as provided in the four following sections, unless the appellant within twenty-four hours after the entry of judgment recognizes to the adverse party with sufficient surety or sureties, to be approved by the adverse party or by the justice, in a reasonable sum to

P. S. 155, § 29, amended.

Appellant to recognize in certain cases of appeal from judgment of trial justice.

be fixed by the justice, or approved by the adverse party, with condition to enter and prosecute his appeal with effect, and to satisfy, within thirty days of the entry thereof, any judgment which may be entered against him in the superior court upon said appeal for costs: *provided*, that the justice may for cause shown extend the time for recognizing. In determining the sufficiency of the sureties upon such recognizance, the justice may examine upon oath the persons offered as sureties and all other witnesses produced by either party; *provided, however*, that if any such appeal is taken by a county, city or other municipal corporation, no bond or recognizance shall be required.

Proviso.

SECTION 2. This act shall take effect upon its passage.

Approved May 1, 1896.

Chap.356 AN ACT TO REQUIRE GAS AND ELECTRIC LIGHT COMPANIES TO KEEP UNIFORM STATION RECORDS.

Be it enacted, etc., as follows:

Manufacturers of gas and electricity for lighting to keep certain records.

SECTION 1. Commencing on the first day of July in the year eighteen hundred and ninety-six every person, corporation or municipality engaged in the manufacture or sale of gas and electricity for lighting shall keep such records of its work and doings at its manufacturing station, and in respect to its distributing plant, as the board of gas and electric light commissioners may from time to time require; and said records shall be in such form as may be prescribed by said board.

SECTION 2. This act shall take effect upon its passage.

Approved May 1, 1896.

Chap.357 AN ACT RELATIVE TO THE EXPENDITURE OF MONEY BY COUNTIES.

Be it enacted, etc., as follows:

Expenditure of money by counties to be authorized annually by law, etc.

SECTION 1. The expenditure of money by the several counties shall be authorized annually by law, and the purposes for which such expenditures may be made shall be specified in detail in said law. No expenditure for any purpose shall be made in excess of the amount so specified and no bill in excess of such amount shall be paid by the county treasurer, except as herein provided.

Payment of certain debts when appropriation is exhausted.

SECTION 2. Whenever any appropriation for interest or debt due from the county for costs in criminal prosecutions, expenses of the courts, or the compensation or salaries of county officers established by law, shall be exhausted, the county treasurer may, on the order of the

county commissioners, make payment for such legally authorized purposes out of any money in the county treasury.

SECTION 3. On or before the thirty-first day of December of each year the county commissioners shall transfer from unexpended appropriations, or from unappropriated money, to appropriations which have been exceeded, as provided for in section two of this act, such sums as may be necessary to balance the same. In all such cases however the county commissioners shall cause to be placed upon their records a statement of such transfers, showing from what and to what accounts the transfers are made, with the reasons in detail therefor, and shall send a copy of the same to the controller of county accounts with their estimates for the ensuing year, and said statement shall be included in the annual report of said controller relative to estimates for county taxes.

Certain sums to be transferred from unexpended appropriations, etc.

SECTION 4. The county commissioners and other officers authorized to incur liabilities payable from the county treasury may, after the expiration of the financial year and before the making of the regular annual appropriations by the general court, incur liabilities payable out of a regular appropriation to an amount not exceeding the liabilities incurred in the preceding year for the same purpose during the same period.

May incur certain liabilities.

SECTION 5. Whenever the county commissioners of any county, in their annual estimate, call for an increased appropriation over the amount expended in the previous year, they shall state upon or with said estimate the reasons in detail for such increase.

To give reasons for increase in appropriation.

SECTION 6. Chapter four hundred and eighty-two of the acts of the year eighteen hundred and ninety-five is hereby repealed.

Repeal.

SECTION 7. This act shall take effect upon its passage.

Approved May 1, 1896.

AN ACT TO AUTHORIZE THE TOWN OF CONCORD TO ELECT LIBRARY COMMITTEES WITHOUT DISTINCTION OF SEX. Chap. 358

Be it enacted, etc., as follows:

SECTION 1. No person shall be ineligible for election as a member of any library committee of the town of Concord by reason of sex.

Not to be ineligible by reason of sex.

SECTION 2. This act shall take effect upon its passage.

Approved May 2, 1896.

Chap.359 AN ACT RELATIVE TO SEWER ASSESSMENTS IN THE CITY OF BOSTON.
Be it enacted, etc., as follows :

May make
abatements, etc.,
upon sewer
assessments,
etc.

SECTION 1. The board of street commissioners of the city of Boston, in addition to any authority now conferred upon them to abate sewer assessments upon estates in said city, shall, with the approval of the mayor, have full power and authority, upon complaint of any person interested in the premises so assessed, to make such abatements or suspensions of the collection of assessments for the construction of sewers as they may deem just and proper, as well of assessments heretofore made as of those that may hereafter be made, and may make the abatement upon the whole amount of the assessment at once, or upon the amount of any apportionment included in a tax bill or tax bills. Any such assessment so abated or suspended shall continue a lien upon the estate on which the assessment is made until the same is paid.

SECTION 2. This act shall take effect upon its passage.

Approved May 2, 1896.

Chap.360 AN ACT TO EXEMPT THE COUNTY OF BERKSHIRE FROM ESTABLISHING A TRUANT SCHOOL.

Be it enacted, etc., as follows :

To be exempt
from 1894,
408, § 16, etc.

SECTION 1. The county of Berkshire shall be exempt from the provisions of section sixteen of chapter four hundred and ninety-eight of the acts of the year eighteen hundred and ninety-four and acts in amendment thereof and in addition thereto.

Confinement,
instruction, etc.,
of truants.

SECTION 2. The county commissioners of said county may assign any truant school established by law in this Commonwealth as the place of confinement, discipline and instruction of children convicted under the provisions of sections nineteen and twenty-one of chapter four hundred and ninety-eight of the acts of the year eighteen hundred and ninety-four and acts in amendment thereof and in addition thereto; and shall pay for their support in said school such reasonable sum as the commissioners having control of said school may determine. A part, not exceeding two dollars per week for each child, of such sum so paid for the support of any child may be recovered by the county of Berkshire from the town in which said child resides.

SECTION 3. This act shall take effect upon its passage.

Approved May 2, 1896.

AN ACT RELATIVE TO THE BONDS OF TREASURERS AND EMPLOYEES OF SAVINGS BANKS AND INSTITUTIONS FOR SAVINGS, AND CO-OPERATIVE BANKS. *Chap.361*

Be it enacted, etc., as follows :

SECTION 1. Whenever, under the provisions of section fourteen of chapter three hundred and seventeen of the acts of the year eighteen hundred and ninety-four, it becomes necessary for the treasurer or other officer or employee of a savings bank or institution for savings to give bond for the faithful discharge of his duties, he may give a bond in which any company organized under the laws of this state, or chartered by any other state or government to transact fidelity insurance or corporate suretyship, and authorized to do business in this Commonwealth, may be surety, or may be jointly and severally bound with such treasurer or other officer or employee. Such bond shall be to the satisfaction of the trustees and in a form to be approved by the commissioners of savings banks, and an attested copy thereof, with a certificate of the custodian that the original is in his possession, shall be filed with the commissioners of savings banks.

Sureties on certain bonds.

Form of bond to be approved.

SECTION 2. The provisions of section one shall also apply to bonds of secretaries and treasurers of co-operative banks, given under the provisions of section seventeen of chapter one hundred and seventeen of the Public Statutes.

To apply to bonds given under P. S. 117, § 17.

SECTION 3. This act shall take effect upon its passage.

Approved May 2, 1896.

AN ACT TO AUTHORIZE THE TOWN OF IPSWICH TO MAKE AN ADDITIONAL WATER LOAN. *Chap.362*

Be it enacted, etc., as follows :

SECTION 1. The town of Ipswich, for the purposes mentioned in chapter three hundred and thirteen of the acts of the year eighteen hundred and ninety and acts in amendment thereof, is hereby authorized to issue notes, bonds or scrip to be denominated on the face thereof, Ipswich Water Loan, to an amount not exceeding thirty thousand dollars in addition to the amounts heretofore authorized by law to be issued by said town for the same purpose ; said notes, bonds or scrip to be issued upon the

Ipswich Water Loan.

same terms and conditions and with the same powers as are provided in said acts for the issue of the Ipswich water loan by said town.

SECTION 2. This act shall take effect upon its passage.

Approved May 2, 1896.

Chap. 363 AN ACT RELATIVE TO THE REGISTRATION OF VOTERS AND THE RECOUNT OF BALLOTS IN THE CITY OF BOSTON.

Be it enacted, etc., as follows :

1896, 449, § 6,
amended.

SECTION 1. Section six of chapter four hundred and forty-nine of the acts of the year eighteen hundred and ninety-five is hereby amended by striking out in the second line thereof, the words "first day of May", and inserting in place thereof the words:—fifteenth day of June,—by inserting in the fifth line, after the word "qualified", the word:—male,—by striking out in the twenty-sixth line, the word "but", and inserting in place thereof the word:—and,—by striking out in the twenty-ninth line, the word "alone", and inserting in place thereof the words:—together with said central registration office in said city,—by striking out in the twenty-ninth and thirtieth lines, the words "of that ward", and by adding at the end thereof the words:—And in such years of general registration said board shall have authority to appoint such additional assistant registrars as in their judgment may be necessary to carry out the provisions of this act, said registrars to be appointed so as to equally represent the two largest political parties,—so as to read as follows:—*Section 6.* Said board of election commissioners shall, between the fifteenth day of June and the first day of October in the year eighteen hundred and ninety-six, and in every tenth year thereafter, make a new general register of the qualified male voters of said city. Said general register shall be prepared in the manner provided by law for preparing general registers, but in determining the residence of any voter for registration said election commissioners shall receive as prima facie evidence of such residence a certificate from the assessors of taxes or a tax bill, or notice from the collector of taxes in said city showing that such person has been assessed for a poll tax as a resident of said city on the first day of May, and in case the applicant shall fail to present such certificate, bill or notice, he shall be

General register
of voters, prepa-
ration, etc.

required to otherwise satisfy the said commissioners as to such residence. Changes may be made in said new general register on account of illegal registration, and after the year in which a new general register is made all laws relating to general registers of voters shall be applicable to said new general registers, and the annual registers and voting lists of said city shall be prepared therefrom, in the manner provided by law for preparing annual registers and voting lists in cities. Until the first day of September of the years designated for preparing new general registers voters may be registered at the central registration office in said city; and during the month of September of said years said board shall keep open one or more places for registration in each ward of said city, as said board shall deem sufficient, where, together with said central registration office in said city, registration of the citizens shall be made daily from eight o'clock in the forenoon to ten o'clock in the afternoon, except Sunday. And in such years of general registration said board shall have authority to appoint such additional assistant registrars as in their judgment may be necessary to carry out the provisions of this act, said registrars to be appointed so as to equally represent the two largest political parties.

General register of voters, preparation, etc.

Appointment of additional assistant registrars.

SECTION 2. Section eight of chapter four hundred and forty-nine of the acts of the year eighteen hundred and ninety-five is hereby amended by striking out in the first line thereof, the words "within the six days", and inserting in place thereof the words:—on or before five o'clock on the third day,—and by inserting after the word "sign", in the third line thereof, the words:—(adding thereto their respective residences on the first day of May of that year), swear to and file,—so as to read as follows:—*Section 8.* If on or before five o'clock on the third day next succeeding the day of any election in any ward of said city ten or more qualified voters of such ward shall sign (adding thereto their respective residences on the first day of May of that year), swear to and file with said board of election commissioners a statement that they have reason to believe and do believe that the records (or copies of records) made by the election officers of certain precincts in said wards are erroneous (specifying wherein they deem they are in error), and that they believe a recount of the ballots

1896, 449, § 8, amended.

Recount of ballots.

May employ
assistance, etc.

cast in such precincts will affect the election of one or more candidates voted for at such election (specifying the candidates), or will affect the decision of a question voted upon at such election (specifying the question), said board shall without delay open the envelopes containing said ballots, recount the same and determine the questions raised. Said board may employ such assistance as they deem necessary in making any such recount; and the chairman of the city committee representing the largest political party and the chairman of the city committee representing the second largest political party may in writing designate two persons, or such further number as said commissioners may allow, to be present and witness the count, and said board shall allow each candidate whose election is in question, or his representative, to be present, and said board may allow representatives of other political parties and other persons to be present and witness the recount. After making any such recount, said board shall again enclose all such ballots in their proper envelopes, seal each envelope with a seal provided for the purpose, and certify upon each envelope that the same has been opened and again sealed in conformity to law, and shall likewise make and sign a statement of their determination of the questions raised, and alter and amend such records as have been found to be erroneous, in accordance with such determination; and the records so amended shall stand as the true records of the election.

Approved May 2, 1896.

Chap. 364 AN ACT TO ANNEX PART OF THE TOWN OF DEERFIELD TO THE TOWN OF GREENFIELD.

Be it enacted, etc., as follows:

Part of Deer-
field annexed
to Greenfield.

SECTION 1. So much of the town of Deerfield in the county of Franklin as lies within the following named lines, to wit:—Commencing at a stone bound marked "G" "D" on the line between Greenfield and Deerfield on the easterly side of the highway from Greenfield to Shelburne known as the South Shelburne road, at the point where the said highway crosses the said town line, thence southeasterly in a straight line to Sheldon brook at the westerly end of the stone culvert by which said brook passes under the highway leading from near the Franklin county public hospital in Greenfield to West

Deerfield, thence down Sheldon's brook to the Deerfield river, thence down Deerfield river to the Connecticut river, thence up the Connecticut river to the southeast corner of Greenfield, thence westerly on the line between Deerfield and Greenfield to the first mentioned bound, with all the inhabitants and estates therein, is hereby set off from the town of Deerfield and annexed to and made part of the town of Greenfield; and said inhabitants shall hereafter be inhabitants of said Greenfield and shall enjoy all the rights and privileges and be subject to all the duties and liabilities of the inhabitants of said Greenfield.

SECTION 2. The inhabitants and estates within the territory and the owners of said estates shall be holden to pay all taxes which have been heretofore legally assessed upon them by the town of Deerfield; and all taxes heretofore assessed and not collected shall be collected and paid to the treasurer of the town of Deerfield in the same manner as if this act had not been passed. Until the next state valuation the town of Greenfield shall annually, on or before the thirty-first day of October, pay to the town of Deerfield the proportion of any state or county tax which the said town of Deerfield may be required to pay upon the inhabitants or estates hereby set off, said proportion to be ascertained and determined by the last valuation next preceding the passage of this act; and the assessors of Deerfield shall make returns of said valuation and the proportion thereof in the towns of Deerfield and Greenfield respectively, to the secretary of the Commonwealth and the county commissioners of the county of Franklin.

Payment of
taxes, etc.

SECTION 3. The said town of Greenfield shall be liable for the relief and support of all persons who now do or shall hereafter stand in need of relief as paupers, whose settlements were gained whether by original acquisition or derivation, by reason of a residence in the territory hereby annexed to said town of Greenfield. The town of Greenfield shall pay to the town of Deerfield annually its proportionate part of the cost hereafter paid by Deerfield for the support or relief of paupers whose settlements were acquired therein in consequence of military service in the war of the rebellion, the proportion to be paid by said town of Greenfield to be determined by the assessed valuation each census year.

Relief and sup-
port of paupers.

Maintenance,
etc., of certain
bridges.

SECTION 4. The expense of repairing and maintaining the Deerfield river bridge shall be borne by each of said towns in the proportions that the valuation of Deerfield, as bounded after this act takes effect, bears to the valuation of Greenfield, as bounded after this act takes effect, according to the valuations of each of said towns in the year in which the expense is incurred. The town of Deerfield shall continue to pay the expense assessed upon said town for the rent, maintenance and repair of the Connecticut river bridge, and the town of Greenfield shall annually pay to the town of Deerfield the amount so expended, until such time as a new apportionment shall be made or a different method shall be adopted for the maintenance of said bridge.

Election of state
and county
officers, etc.

SECTION 5. Until a new apportionment of representatives shall be made the inhabitants of the territory described in the first section of this act shall for the purpose of electing state and county officers, members of the executive council, senators and representatives to the general court, electors of president and vice president of the United States, and representatives to congress, remain and continue to be a part of the town of Deerfield; and the inhabitants resident therein qualified to vote shall be entitled to vote for said officers and shall be eligible to the office of representative in the town of Deerfield and shall vote at the place or places at which the inhabitants of Deerfield vote. The registrars of voters of Greenfield shall annually make a true list of all persons resident in said territory qualified to vote at every such election and post the same in said territory according to law. They shall also deliver one such list, corrected as required by law, to the selectmen of Deerfield, before the time of meeting for election, to be used thereat.

Apportionment
of debt.

SECTION 6. Within one year from the passage of this act the town of Greenfield shall pay to the town of Deerfield such a proportion of the net debt of Deerfield as the valuation of the territory annexed to Greenfield, under the provisions of this act, shall bear to the whole valuation of the town of Deerfield according to the last annual assessors' valuation prior to the passage of this act.

Commissioners
to be appointed
in case of dis-
agreement.

SECTION 7. In case said towns shall not agree upon a division of property, debts, unpaid taxes, state or county taxes, expenses incurred in support of paupers,

and all other existing town liabilities, the superior court shall upon the petition of either town appoint three commissioners to hear the parties and determine the matters of difference, and their award, or the award of any two of them, being accepted by said court shall be final.

SECTION 8. This act shall take effect upon its passage.

Approved May 2, 1896.

AN ACT TO PROVIDE FOR THE ANNEXATION OF THE TOWN OF BRADFORD TO THE CITY OF HAVERHILL. Chap. 365

Be it enacted, etc., as follows:

SECTION 1. All the territory now comprised within the limits of the town of Bradford, in the county of Essex, with the inhabitants and estates therein, is hereby annexed to and made a part of the city of Haverhill, subject to the same municipal regulations, obligations and liabilities, and entitled to the same immunities in all respects, as the said city of Haverhill: *provided, however, that* until legally changed said territory, for the purpose of electing a councillor, senator, and representatives to the general court, shall continue to be a part of the several districts that exist at the time of the acceptance of this act. All the duties now required by law to be performed by the selectmen and town clerk of the town of Bradford, or either of them, pertaining to the election of councillors, senators, and members of the general court, shall in like manner devolve upon the board of aldermen and city clerk of Haverhill.

Bradford
annexed to
Haverhill.

Proviso.

SECTION 2. All the public property of the town of Bradford shall be vested in and is hereby declared to be the property of the city of Haverhill; and said city of Haverhill shall succeed to all the rights, claims, causes of action, rights to uncollected taxes, liens, uses, trusts, duties, privileges and immunities of said town of Bradford. The town treasurer of the town of Bradford shall, on or before the second Monday of January following the acceptance of this act, under the direction of the selectmen of the said town of Bradford (who shall for this purpose and for all other purposes necessary to carry into full effect the provisions of this act continue to hold their offices), transfer, deliver, pay and account for to the city treasurer of the city of Haverhill, all books, papers, moneys and other property in his possession as

Public property
in Bradford to
be vested in
Haverhill, etc.

Haverhill to be liable for debts, etc., of Bradford, etc.

town treasurer of the town of Bradford when this act takes effect; and the city of Haverhill shall become liable for and subject to all the debts, obligations, duties, responsibilities and liabilities of said town of Bradford. All actions and causes of action which shall be pending or which shall have accrued at the time this act takes effect, in behalf of or against the town of Bradford, shall survive and may be prosecuted to final judgment and execution in behalf of or against the city of Haverhill.

To constitute ward seven of Haverhill.

SECTION 3. The territory of the town of Bradford shall constitute a ward of the city of Haverhill, to be called ward seven, and shall so remain until the alteration of the ward limits of the city of Haverhill provided for by law; and the ward so established shall be entitled to all the municipal and ward officers to which each of the other wards of said city of Haverhill is entitled.

Board of aldermen, common council, etc.

SECTION 4. After the acceptance of this act the board of aldermen of the city of Haverhill shall consist of seven members, and the common council shall consist of fourteen members, and the school board of twenty-one members. The warrant for the municipal election of the city of Haverhill next following the acceptance of this act shall include the territory hereby annexed to said city.

Subject to acceptance by voters of Haverhill and Bradford.

SECTION 5. This act shall not take full effect unless accepted by a majority of the legal voters of the town of Bradford and city of Haverhill present and voting thereon by ballot. The question of accepting this act shall be submitted to the voters of the city of Haverhill and of the town of Bradford, respectively, at the next annual state election, and if not then accepted, at a subsequent election as hereinafter provided.

To certify to secretary of the Commonwealth the number of ballots cast, etc.

SECTION 6. It shall be the duty of the city clerk of the city of Haverhill and of the town clerk of the town of Bradford to certify as soon as may be to the secretary of the Commonwealth the number of ballots cast in favor of the acceptance of this act and the number of ballots cast against said acceptance; and if it shall appear that the majority of the votes cast in the city of Haverhill and a majority of the votes cast in the town of Bradford, respectively, are in favor of the acceptance of this act, said secretary shall immediately issue and publish his certificate declaring this act to have been duly accepted.

SECTION 7. If this act should fail to be accepted by the voters of said city and town, or either of them, at the election held as aforesaid, this act may be re-submitted at the annual state election in the year eighteen hundred and ninety-seven: *provided*, that a petition of fifty voters of the city of Haverhill and of the town of Bradford, or of either of them, requesting the same, shall be filed with the secretary of the Commonwealth thirty days previous to the holding of such election, and the board of aldermen of the city of Haverhill and the selectmen of the town of Bradford shall in issuing the warrants for such election govern themselves accordingly.

May be re-submitted if not accepted.

Proviso.

SECTION 8. So much of this act as authorizes and directs the submission of the question of its acceptance to the legal voters of the city and town respectively shall take effect upon its passage; and if accepted by said voters it shall otherwise take effect on the first Monday of January next following its acceptance. No submission of the question of its acceptance to the voters shall be made subsequent to the state election held in the year eighteen hundred and ninety-seven, except as provided in the following section.

When to take effect, etc.

SECTION 9. If any election or balloting upon the question of the acceptance of this act by either said city or said town, shall within two months thereafter be declared void by the supreme judicial court upon summary proceedings, which may be had in any county upon the petition of fifty voters of either said city or said town, the question of accepting said act shall again be submitted to the legal voters of said city or town at the next annual state election; but no election or balloting shall be held void for informality in calling, holding or conducting the election or returning the votes or otherwise, except upon proceedings instituted therefor and determined within sixty days thereafter as aforesaid.

To be re-submitted in case election is declared void, etc.

Approved May 4, 1896.

AN ACT TO AMEND THE CHARTER OF THE CITY OF EVERETT.

Chap. 366

Be it enacted, etc., as follows:

SECTION 1. From and after the commencement of the next municipal year after the passage of this act the city council of the city of Everett shall be composed of

City council, board of aldermen, common council, members, election, terms, etc.

City council,
board of alder-
men, common
council, mem-
bers, election,
terms, etc.

two branches, one of which shall be called the board of aldermen and the other the common council. The board of aldermen shall be composed of seven members, who shall be elected by and from the qualified voters of the city. At the first municipal election held after the passage of this act, and in every alternate year thereafter, four aldermen shall be elected, who shall hold office for the two municipal years next succeeding their election. At the second municipal election held next after the passage of this act, and in every alternate year thereafter, three aldermen shall be elected, who shall hold office for the two municipal years next succeeding their election. Three members of the common council shall be elected annually by and from the qualified voters of each ward, and the councilmen so elected shall hold office for the municipal year next succeeding their election. The aldermen and councilmen elected at the municipal election next prior to the passage of this act shall hold office until the expiration of the terms for which they were respectively elected. Section ten of chapter three hundred and fifty-five of the acts of the year eighteen hundred and ninety-two, except as hereinbefore provided, is hereby repealed.

Repeal.

1892, 355, § 14,
amended.

SECTION 2. Section fourteen of chapter three hundred and fifty-five of the acts of the year eighteen hundred and ninety-two is hereby amended by adding at the end thereof the following words: — On petition of any seven members of the common council the mayor shall call a special meeting of that branch, and on petition of any three members of the board of aldermen the mayor shall call a special meeting of that board, to act upon any matters set forth in said petition. Notice of said special meeting shall be given as herein provided, — so that said section as amended will read as follows: — *Section 14.* The mayor may at any time call a special meeting of the city council or of either branch thereof by causing a written notice of such meeting, containing a statement of the subjects to be considered thereat, to be left at the usual place of residence of each member at least twenty-four hours previous to the time appointed for the meeting, and no other business shall be transacted at such special meeting. On petition of any seven members of the common council the mayor shall call a special meeting of that

Special meet-
ings of city
council, etc.

branch, and on petition of any three members of the board of aldermen the mayor shall call a special meeting of that board, to act upon any matters set forth in said petition. Notice of said special meeting shall be given as herein provided.

SECTION 3. Section forty-eight of chapter three hundred and fifty-five of the acts of the year eighteen hundred and ninety-two is hereby amended by striking out all of said section and inserting in place thereof the following:

1892, 355, § 48,
amended.

— *Section 48.* The school committee, in addition to the exercise of the powers and the discharge of the duties imposed by law upon school committees, shall, subject to the approval of the mayor, have full power and authority to order repairs to school buildings, and to provide when necessary temporary accommodations for school purposes. The making of plans for all school buildings, the erection and alteration of such buildings, the making of additions thereto, and the purchasing of land for school purposes, shall be committed to agents appointed by the mayor and confirmed by the board of aldermen.

Repairs, erection and alteration of school buildings, etc.

SECTION 4. This act shall be submitted to the voters of the city of Everett, who shall vote "Yes" and "No" upon the question of the acceptance of the several sections, at the annual state election in the present year, and only such sections shall take effect as shall at such election be accepted by the affirmative votes of a majority of the voters voting on the several sections at said election. The vote shall be taken by ballot, in answer to the following questions: Shall section one of the act to amend the charter of the city of Everett, creating a board of seven instead of six aldermen and repealing minority representation, be accepted? Shall section two of said act, requiring the mayor and board of aldermen to call a meeting of the common council on the petition of any seven of its members, or a meeting of the board of aldermen on a petition of any three of its members, be accepted? Shall section three of said act, requiring the mayor and board of aldermen to appoint agents for securing all plans and for the erection of school buildings, be accepted?

Question of acceptance to be submitted to voters at state election, 1896, etc.

Yes.	<input type="checkbox"/>
No.	<input type="checkbox"/>

Yes.	<input type="checkbox"/>
No.	<input type="checkbox"/>

Yes.	<input type="checkbox"/>
No.	<input type="checkbox"/>

Approved May 5, 1896.

Chap.367 AN ACT TO LEGALIZE THE PROCEEDINGS OF THE ANNUAL TOWN MEETING OF THE TOWN OF NORTHBOROUGH.

Be it enacted, etc., as follows :

Proceedings of town meeting of Northborough legalized.

SECTION 1. The election of town officers for the town of Northborough, at the annual town meeting of said town held on the second day of March in the year eighteen hundred and ninety-six, shall not be invalid by reason of the fact that the warrant authorizing the same did not specify the town officers to be elected at said meeting, as required by law.

SECTION 2. This act shall take effect upon its passage.

Approved May 5, 1896.

Chap.368 AN ACT TO CONFIRM THE PROCEEDINGS OF THE ANNUAL TOWN MEETING OF THE TOWN OF WALPOLE.

Be it enacted, etc., as follows :

Proceedings of town meeting of Walpole confirmed.

SECTION 1. The proceedings of the annual town meeting of the town of Walpole, held on the second day of March in the year eighteen hundred and ninety-six, shall not be invalid by reason of any error or omission in the warrant calling said meeting or in the constable's return thereof; and the action of said meeting in voting to make an additional water loan, and the vote authorizing the issue of water bonds therefor, are hereby ratified, confirmed, and made legal and valid.

SECTION 2. This act shall take effect upon its passage.

Approved May 5, 1896.

Chap.369 AN ACT RELATIVE TO ANNUAL RETURNS FROM CERTAIN CORPORATIONS.

Be it enacted, etc., as follows :

1887, 225, § 1, amended.

Certain corporations to make annual returns, etc.

SECTION 1. Section one of chapter two hundred and twenty-five of the acts of the year eighteen hundred and eighty-seven is hereby amended by striking out in the second and third lines, the words "subsequently to the twenty-third day of February in the year eighteen hundred and thirty", so as to read as follows: — *Section 1.* Every corporation chartered by this Commonwealth, or organized under the general laws, for the purposes of business or profit, having a capital stock divided into shares, except banks, co-operative banks, savings banks

and institutions for savings, insurance companies, including the Massachusetts Hospital Life Insurance Company, steam and street railway companies, safe deposit and trust companies and the Collateral Loan Company, shall be subject to the provisions of sections fifty-four, fifty-five, fifty-nine, eighty-one, eighty-two and eighty-four of chapter one hundred and six of the Public Statutes, and shall annually make and file the certificates and returns therein required.

SECTION 2. This act shall take effect on the first day of July in the year eighteen hundred and ninety-six. To take effect July 1, 1896.

Approved May 5, 1896.

AN ACT TO CONFIRM CERTAIN PROCEEDINGS OF THE TOWN OF CUMMINGTON. *Chap. 370*

Be it enacted, etc., as follows:

SECTION 1. The action of the town of Cummington relative to the appropriation of money for telephone service, taken at the annual town meeting of said town held on the second day of March in the year eighteen hundred and ninety-six, is hereby legalized and confirmed, but nothing herein contained shall authorize or empower said town to construct or maintain a telephone line. Proceedings of town of Cummington confirmed.

SECTION 2. This act shall take effect upon its passage.

Approved May 7, 1896.

AN ACT TO INCORPORATE THE DORCHESTER WOMAN'S CLUB HOUSE ASSOCIATION. *Chap. 371*

Be it enacted, etc., as follows:

SECTION 1. Harriet E. Bean, Ella C. R. Whiton, Ellen E. C. Blair and their associates and successors are hereby made a corporation by the name of the Dorchester Woman's Club House Association incorporated.
Dorchester Woman's Club House Association incorporated.
with all the powers and subject to all the duties set forth in chapter one hundred and six of the Public Statutes and acts in amendment thereof.

SECTION 2. The par value of shares in the capital stock of said corporation shall be ten dollars. Capital stock.

SECTION 3. This act shall take effect upon its passage.

Approved May 7, 1896.

Chap.372 AN ACT TO AUTHORIZE THE TOWN OF RANDOLPH TO MAKE AN
ADDITIONAL WATER LOAN.

Be it enacted, etc., as follows:

Randolph
Water Loan.

SECTION 1. The town of Randolph, for the purposes mentioned in section five of chapter two hundred and seventeen of the acts of the year eighteen hundred and eighty-five, may issue bonds, notes or scrip from time to time, to be denominated on the face thereof, Randolph Water Loan, to an amount not exceeding ten thousand dollars in addition to the amounts heretofore authorized by law to be issued by said town for the same purposes, said bonds, notes or scrip to be issued upon the same terms and conditions and with the same powers as are provided in said act for the issue of the Randolph water loan by said town: *provided*, that the whole amount of bonds, notes or scrip issued by said town under the authority of this act, together with those heretofore issued by said town for the same purposes, shall not in any event exceed the amount of one hundred and fifty-five thousand dollars.

Proviso.

SECTION 2. This act shall take effect upon its passage.

Approved May 7, 1896.

Chap.373 AN ACT MAKING APPROPRIATIONS FOR THE WORCESTER NORMAL
SCHOOL, INDEXING REGISTRATION RETURNS AND FOR CERTAIN
OTHER EXPENSES AUTHORIZED BY LAW.

Be it enacted, etc., as follows:

Appropriations.

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified in certain acts and resolves of the present year, and for certain other expenses authorized by law, to wit: —

State printing
expert.

For the compensation of the state printing expert, as authorized by chapter two hundred and forty-eight of the acts of the present year, a sum not exceeding five hundred dollars, the same to be in addition to the amount appropriated by chapter six of the acts of the present year.

Worcester
normal school.

For completing and furnishing the gymnasium of the Worcester normal school, as authorized by chapter fifty-four of the resolves of the present year, a sum not exceeding ten thousand dollars.

For Philip H. Creasey, as authorized by chapter fifty-five of the resolves of the present year, the sum of five hundred dollars.

Philip H.
Creasey.

For Joseph F. Toole, as authorized by chapter fifty-seven of the resolves of the present year, the sum of two hundred and fifty dollars.

Joseph F.
Toole.

For John J. Donahue, as authorized by chapter fifty-eight of the resolves of the present year, the sum of one hundred and fifty dollars.

John J.
Donahue.

For the compensation and expenses of the commission to investigate the charitable and reformatory interests and institutions of the Commonwealth, as authorized by chapter sixty of the resolves of the present year, a sum not exceeding five thousand dollars.

Commission
to investigate
charitable and
reformatory
interests, etc.

For printing the report of the state board of health upon the sanitary condition of the Neponset meadows, as authorized by chapter sixty-one of the resolves of the present year, a sum not exceeding ten hundred and sixty dollars.

Report on sani-
tary condition
of Neponset
meadows.

For the town of Orange, as authorized by chapter sixty-two of the resolves of the present year, the sum of three hundred and fifty dollars.

Town of
Orange.

For the preparation of an index to the registration returns, as authorized by chapter sixty-five of the resolves of the present year, a sum not exceeding two thousand dollars.

Index to regi-
stration returns.

For repairing and adding to the standard weights, measures and balances of the Commonwealth, as authorized by chapter sixty-six of the resolves of the present year, a sum not exceeding one thousand dollars.

Standard
weights,
measures, etc.

For the widow of Frederic T. Greenhalge, as authorized by chapter sixty-seven of the resolves of the present year, the sum of six thousand five hundred fifty-nine dollars and fourteen cents.

Widow of
Frederic T.
Greenhalge.

For the investigation of the wants of the port of Boston for an improved system of docks and wharves and terminal facilities in connection therewith, as authorized by chapter sixty-eight of the resolves of the present year, a sum not exceeding four thousand dollars, in addition to any amount heretofore appropriated.

System of
docks, wharves,
etc.

For the reimbursement of the naval militia for such sum of money as has been expended by said militia in fitting up the United States steamer Minnesota, and for heating, lighting and properly furnishing the same, as

United States
steamer
Minnesota.

authorized by chapter two hundred and eighty-nine of the acts of the present year, a sum not exceeding eight thousand two hundred dollars.

SECTION 2. This act shall take effect upon its passage.

Approved May 7, 1896.

Chap. 374 AN ACT TO AUTHORIZE THE BROCKTON STREET RAILWAY COMPANY TO EXTEND ITS RAILWAY INTO THE TOWNS OF EAST BRIDGEWATER, WEST BRIDGEWATER AND BRIDGEWATER.

Be it enacted, etc., as follows :

Brockton Street Railway Company may extend its railway into certain towns.

SECTION 1. The Brockton Street Railway Company is hereby authorized and empowered to construct, maintain and operate its railway in highways and townways of the towns of East Bridgewater, West Bridgewater and Bridgewater wherein locations therefor may hereafter from time to time be granted by the boards of selectmen of said towns respectively; and also upon private lands when permission so to do shall have been first obtained from the owners of said lands in all cities and towns wherein locations for its railway under its charter and amendments thereto may now be lawfully granted, but the railway of said company shall not be constructed across the tracks of any railroad at the same level therewith without the consent of the railroad commissioners or of a board of special commissioners appointed as provided in chapter four hundred and twenty-six of the acts of the year eighteen hundred and ninety-five.

SECTION 2. This act shall take effect upon its passage.

Approved May 7, 1896.

Chap. 375 AN ACT TO AUTHORIZE THE BROCKTON STREET RAILWAY COMPANY TO EXTEND ITS TRACKS INTO THE TOWN OF EASTON.

Be it enacted, etc., as follows :

Brockton Street Railway Company may extend its tracks into Easton.

SECTION 1. The Brockton Street Railway Company may, subject to the approval, under the control of and upon locations which may be granted by the selectmen of the town of Easton, as provided by general law, extend its tracks into the town of Easton, and locate, construct, maintain and operate its railway in any street in said town, with single or double tracks, with electricity or any other motive power except steam, and with such turn-outs, switches, poles and wires as may be necessary or proper therefor; but its railway shall not be constructed across

the tracks of any railroad at the same level therewith without the consent of the railroad commissioners or of a board of special commissioners appointed as provided in chapter four hundred and twenty-six of the acts of the year eighteen hundred and ninety-five.

SECTION 2. This act shall take effect upon its passage.

Approved May 7, 1896.

AN ACT RELATIVE TO THE MARKET LIMITS OF THE CITY OF BOSTON. **Chap. 376**

Be it enacted, etc., as follows:

SECTION 1. The board of street commissioners of the city of Boston, with the approval of the mayor, may in the manner prescribed for laying out highways in said city, from time to time extend the market limits of said city to the extent which they may deem to be desirable, and may take land therefor in the manner provided for taking land for highways in said city, whether such land is at the time of taking used as a highway or for any other public purpose.

May extend market limits of Boston, etc.

SECTION 2. Any person whose land is taken under the provisions of the preceding section shall have his damages incurred thereby paid by said city, and may have such damages determined in the manner provided for the determination of damages for taking land for highways in said city; and judgment shall be entered and execution shall issue for the prevailing party as in civil cases.

Damages.

SECTION 3. This act shall take effect upon its passage.

Approved May 7, 1896.

AN ACT RELATIVE TO THE SALE OF IMITATION BUTTER.

Chap. 377

Be it enacted, etc., as follows:

SECTION 1. Section one of chapter fifty-eight of the acts of the year eighteen hundred and ninety-one, as amended by section six of chapter two hundred and eighty of the acts of the year eighteen hundred and ninety-four, is hereby amended by striking out in the fourth line, the word "or", and inserting after the word "possession", in said line, the words: — keep in storage, distribute, deliver, transfer or convey, — and by inserting in the fifth line, after the word "sell", the words: — within this Commonwealth, — so as to read as fol-

1891, 58, § 1, etc., amended.

Manufacture,
sale, etc., of
imitation butter.

lows : — *Section 1.* No person, by himself or his agents or servants, shall render or manufacture, sell, offer for sale, expose for sale, take orders for the future delivery of, have in his possession, keep in storage, distribute, deliver, transfer or convey with intent to sell, within this Commonwealth any article, product or compound made wholly or partly out of any fat, oil or oleaginous substance or compound thereof, not produced from unadulterated milk or cream from the same, which shall be in imitation of yellow butter produced from pure unadulterated milk or cream of the same : *provided*, that nothing in this act shall be construed to prohibit the manufacture or sale of oleomargarine in a separate and distinct form and in such manner as will advise the consumer of its real character, free from coloration or ingredient that causes it to look like butter.

Proviso.

1891, 412, § 5,
amended.

SECTION 2. Section five of chapter four hundred and twelve of the acts of the year eighteen hundred and ninety-one is hereby amended by inserting in the second line, and also in the fourth line, after the word “restaurant”, the word : — boarding-house, — so as to read as follows : — *Section 5.* Whoever furnishes, or causes to be furnished, in any hotel, restaurant, boarding-house, or at any lunch counter, oleomargarine or butterine to any guest or patron of such hotel, restaurant, boarding-house or lunch counter, in the place or stead of butter shall notify said guest or patron that the substance so furnished is not butter, and any party so furnishing without such notice shall be punished by a fine of not less than ten nor more than fifty dollars for each offence.

Penalty for
furnishing
imitation butter
in certain cases.

Approved May 7, 1896.

Chap. 378 AN ACT TO AUTHORIZE THE CLINTON STREET RAILWAY COMPANY TO EXTEND ITS TRACKS, INCREASE ITS CAPITAL STOCK AND ISSUE BONDS.

Be it enacted, etc., as follows :

The Clinton
Street Railway
Company may
extend its rail-
way, etc.

SECTION 1. The Clinton Street Railway Company is hereby authorized, subject to the approval and under the control of the selectmen of the respective towns, as provided by general law, to construct, extend, maintain and operate its street railway over any streets and highways in the towns of Lancaster and Leominster upon which locations have been or may hereafter be granted to said

corporation by the selectmen of said towns, and, if necessary or convenient, upon private lands acquired by lease or purchase, provided that no location on private land shall exceed fifty feet in width; with all the powers and privileges and subject to all the duties, conditions and restrictions set forth in all general laws that now are or hereafter may be in force relating to street railway companies. Said company may maintain and operate its railway over any locations which have been or may be granted to or acquired by it, by electricity or any approved motive power other than steam, and, with the consent of the selectmen of the respective towns in which said locations have been or may be granted or acquired, may make such underground alterations of the streets or ways and may erect and maintain such poles and wires as may be necessary for the proper transaction of the business of said company. It may acquire by purchase or by lease all necessary real estate, including water power and flowage rights, for its power station and other uses incidental to the proper maintenance and operation of its railway.

The Clinton Street Railway Company may extend its railway, etc.

May acquire necessary real estate.

SECTION 2. For the purpose of meeting expenses incurred under this act, and for building its road over locations now or hereafter granted and for equipping the same, and for the funding or refunding of its present indebtedness, said Clinton Street Railway Company, by vote of the majority in interest of its stockholders at meetings duly called for the purpose, may from time to time increase its capital stock and issue coupon or registered bonds in such amounts as the board of railroad commissioners shall approve, in accordance with the provisions of the general laws relative thereto. Such bonds shall bear interest not exceeding six per cent. per annum and shall run for a term not exceeding thirty years from the date thereof; and to secure the payment of said bonds said company may make a mortgage of its road and franchise and of the whole or any part of its other property, and may include in such mortgage property thereafter to be acquired, and may therein reserve to the directors the right to sell or otherwise in due course of business to dispose of property included therein which may become worn, damaged, or otherwise unsuitable for use in the operation of its road, provided that an equivalent in value shall be substituted therefor.

May increase capital stock, issue bonds, etc.

Bonds to be approved.

SECTION 3. All bonds so issued shall first be approved by some person appointed by the corporation for that purpose, who shall certify upon each bond that it is properly issued and recorded; and such certificate shall, as regards bona fide holders, be conclusive of the regularity of the issue and sale of the bonds.

Company may change its name.

SECTION 4. Said company is hereby authorized to change its name to Leominster and Clinton Street Railway Company.

SECTION 5. This act shall take effect upon its passage.

Approved May 7, 1896.

Chap. 379 AN ACT TO REVISE THE CHARTER OF THE CITY OF MARLBOROUGH.

Be it enacted, etc., as follows:

City of Marlborough.

SECTION 1. The inhabitants of the city of Marlborough shall continue to be a body politic and corporate, under the name of the City of Marlborough, and as such shall have, exercise and enjoy all the rights, powers, privileges and immunities, and shall be subject to all the duties and obligations pertaining to and now incumbent upon the said city as a municipal corporation.

Government and general management of affairs.

SECTION 2. The government of the city and the general management and control of all the fiscal, prudential and municipal affairs thereof shall be vested in a single officer, to be called the mayor, who shall also be the presiding officer of the board of aldermen, but shall have no vote therein, and in a legislative body, to be called the city council; except however that the general management and control of the public schools of the city and of the buildings and property pertaining to such schools shall be vested in a school committee.

Wards.

SECTION 3. The boundary lines of the seven wards shall remain as now established, except that in any subsequent year fixed by law for a new division of wards in cities the number of wards may be changed by vote of the city council, passed with the assent of the mayor, at or prior to the making of such division; but the number of wards shall never be less than seven.

Meetings of qualified voters.

SECTION 4. All meetings of the qualified voters of the city for the purpose of voting at elections and for other municipal or legal purposes shall be called by warrants issued by order of the board of aldermen, which shall be in such form and be served and returned in such manner

and at such time as the city council may by ordinance direct.

SECTION 5. The municipal election shall take place annually on the first Tuesday of December, and the municipal year shall begin at ten o'clock in the forenoon of the first Monday of the following January and continue until ten o'clock in the forenoon of the first Monday in January next succeeding.

Municipal election and municipal year.

SECTION 6. At the municipal election the qualified voters shall in the several wards give in their votes by ballot for mayor and for members of the city council and of the school committee, or for such of them as are to be elected, and the person receiving the highest number of votes for any office shall be deemed and declared to be elected to such office; and whenever two or more persons are to be elected to the same office the several persons up to the number required to be chosen, receiving the highest number of votes, shall be deemed and declared to be elected.

Mayor, city council, etc. to be elected by ballot, etc.

SECTION 7. If it shall appear that there is no choice of mayor, or if the person elected to that office shall refuse to accept the office, or shall die before qualifying, or if a vacancy in the office shall occur more than four months previous to the expiration of the term of service of a mayor, the board of aldermen shall forthwith cause warrants to be issued for a new election, and the same proceedings shall be had in all respects as are hereinbefore provided for the election of mayor; and such proceedings shall be repeated until the election of a mayor is completed. If the full number of members of the city council then required to be chosen shall not be elected at the annual municipal election, or if a vacancy in the office of a member thereof shall occur more than four months previous to the expiration of his term of office, the board of aldermen shall forthwith cause a new election to be held as aforesaid to fill the vacancy. In case a vacancy in the office of mayor or of a member of the city council shall occur within the four months previous to the expiration of his term of office the city council may, in its discretion, order a new election to be held as aforesaid to fill the vacancy.

Vacancies, etc.

SECTION 8. When no convenient wardroom for holding the meetings of the qualified voters of a ward can be had within the territorial limits of such ward the board

Ward meetings may be held in adjacent ward, etc.

of aldermen may, in the warrant for calling a meeting of the qualified voters of such ward, appoint and direct that the meeting be held in some convenient place within the limits of an adjacent ward of the city; and for such purpose the place so assigned shall be deemed and taken to be a part of the ward for which the election is held. The city council shall provide suitable halls for the caucuses and conventions of all political parties recognized by law.

General meetings of qualified voters.

SECTION 9. General meetings of the qualified voters of the city may from time to time be held according to the right secured to the people by the constitution of the Commonwealth; and such meetings may and, upon the request in writing of fifty qualified voters, setting forth the purposes thereof, shall be called.

City council.

Board of aldermen, election, terms, etc.

SECTION 10. The city council shall be composed of two branches, one of which shall be called the board of aldermen and the other the common council. The board of aldermen shall be composed of seven members, who shall be elected by and from the qualified voters of the entire city. At the first municipal election held under this act three aldermen shall be elected who shall hold office for the municipal year next succeeding their election, and four aldermen shall be elected who shall hold office for the two municipal years next succeeding their election, and thereafter annually there shall be elected for the term of two years as many aldermen as may be necessary to fill the vacancies occurring by reason of expiration of terms of service. If in any year of a new division of the city into wards the number of wards shall be changed the terms of office of all the aldermen shall expire at the end of the municipal year in which the division is made, and at the municipal election occurring in such year, aldermen, as many in number as there are new wards, shall be elected. The board of aldermen so elected shall, directly after its organization, so assign by lot the terms of the respective members that the terms of one half of the members of the board, as near as may be, shall expire each year thereafter; and thereafter annually there shall be elected for the term of two years as many aldermen as may be necessary to fill the vacancies occurring by reason of expiration of terms of service. Two members of the common council shall be elected annually by and from the qualified voters of each ward,

Common council, election, term, etc.

and the councilmen so elected shall hold office for the municipal year next succeeding. No person shall be eligible for election as common councilman unless he is at the time of his election a resident of the ward from which he is chosen; but a removal, subsequent to his election, to another ward of the city shall not disqualify such officer from discharging the duties of his office during the remainder of the term for which he was elected.

SECTION 11. The mayor elect and the members elect of the city council shall on the first Monday in the January next succeeding their election, at ten o'clock in the forenoon, assemble together and be sworn to the faithful discharge of their duties. The oath may be administered to the mayor by the city clerk or by a justice of a court of record or by a justice of the peace, and the oath may be administered to the members of the city council by the mayor or by the city clerk or by a justice of the peace. In case of the absence of the mayor elect on the first Monday in January, or if a mayor shall be subsequently elected, the oath of office may at any time thereafter be administered to him in the presence of the city council; and at any time after the first Monday in January the oath of office may be administered in the presence of either branch of the city council to a member of such branch who was absent on the first Monday in January, or who shall be subsequently elected. A certificate that such oath has been taken by the mayor shall be entered in the journal of both branches of the city council; and in the journal of each branch shall be entered a certificate that the oath has been so taken by the members of that branch.

Oaths of office
of mayor and
members of
city council.

SECTION 12. Directly after the oaths of office have been administered each branch of the city council shall meet and organize by the election by ballot of a president. The eldest senior member of the common council present shall preside until a president has been chosen. The two branches shall by concurrent vote elect by ballot a city clerk, who shall hold office for the municipal year and until his successor is elected and qualified. The city clerk shall also be the clerk of the board of aldermen; but in case of delay in the election of the city clerk, or in case of a vacancy in the office, the board of aldermen may elect a temporary clerk, who shall act as clerk of the board until a city clerk is chosen and qualified. The

Organization of
city council, etc.

city clerk shall be sworn to the faithful discharge of his duties, in the presence of the board of aldermen, by the mayor or by a justice of the peace. The common council shall elect its own clerk, who shall be sworn to the faithful discharge of his duties, in the presence of the council, by the president or by a justice of the peace. Each clerk shall attend the sessions of the branch for which he is elected and shall keep a record of its proceedings, and shall perform such further service as such branch may require. The president of the board of aldermen may be removed from office by the affirmative votes of two thirds of all the members of the said board. The city clerk may be removed by the affirmative votes of two thirds of all the members of each branch of the city council, after due notice and hearing. The president and clerk of the common council may each be removed by the affirmative votes of two thirds of all the members of the common council. In case of the temporary absence or disability of the city clerk the mayor may, with the consent of the board of aldermen, appoint a city clerk pro tempore, who shall be duly sworn. In case of a vacancy in the office the same shall be filled by concurrent vote of the two branches. The two branches shall by ordinance provide for the election by concurrent vote of a clerk of committees, and may so provide for the election of a city messenger.

Removals
from office.

Vacancy, etc.,
in office of
city clerk.

Each branch
to be judge of
election of its
members, etc.

SECTION 13. Each branch of the city council shall be the judge of the election and qualifications of its own members, shall determine the rules for its own proceedings, and may appoint such assistant clerks and other officers as may be necessary for the proper conduct of its own business.

Special meet-
ings of city
council, etc.

SECTION 14. The mayor may at any time call a special meeting of the city council or of either branch thereof, by causing a written notice of such meeting, containing a statement of the subjects to be considered thereat, to be left at the usual place of residence of each member at least eight hours previous to the time appointed for the meeting; and no other business shall be transacted at such special meeting except by unanimous consent of all present.

Quorum.

SECTION 15. In each branch of the city council a majority of the whole number of members provided to be elected shall constitute a quorum for the transaction

of business, but a smaller number may adjourn from time to time. The two branches shall sit separately for the transaction of all business, and subsequent to the day of organization they shall not both act on the same day upon a matter involving the appropriation or expenditure of money.

Transaction
of business.

SECTION 16. The salary of the mayor is hereby established at one thousand dollars for each municipal year.

Salary of
mayor.

SECTION 17. All votes of the city council making appropriations or loans of money shall be in itemized form, and when brought before the city council on recommendation of the mayor no item of the appropriation or loan in excess of the amount recommended by the mayor shall be passed except by the affirmative votes of two thirds of the members of each branch present and voting thereon.

Appropriations
or loans.

SECTION 18. Either branch of the city council may by special vote hold private sittings for the consideration of candidates for election, and the board of aldermen may likewise hold private sittings for the consideration of nominations by the mayor; but all other sittings shall be public and all votes on elections and on confirmation of appointments by the mayor shall be taken in public.

Private sittings,
etc.

SECTION 19. No member of the city council shall during the term for which he is elected hold any other office or position the salary or compensation for which is payable from the city treasury, nor shall he act as counsel or attorney before the city council or before either branch or any committee thereof.

Members of
city council
not to hold
certain other
office, etc.

SECTION 20. Neither the mayor, nor any member of the city council, nor any member of any city board, nor any officer of the city, shall directly or indirectly purchase from himself or from any firm with which he is connected supplies or materials on account of or for the use of the city, or contract with himself or with any firm with which he is connected for furnishing any supplies, materials or labor on account of or for the use of the city.

Purchase of
supplies, mak-
ing of contracts,
etc.

SECTION 21. The city council shall have power within said city to make and establish ordinances and to affix thereto penalties for the violation thereof, as herein or by general law provided, without the sanction of any court or of any justice thereof. All ordinances so made and established shall be forthwith published in one or

City ordinances,
penalties, etc.

more newspapers designated by the mayor, and they shall, unless they contain an express provision for a later date, take effect at the time of their approval by the mayor, or, if a penalty for their violation is provided, at the expiration of thirty days from the day of such approval; but a failure to so publish shall not affect the validity of any ordinance.

Streets, high-ways, etc.

SECTION 22. The city council shall, subject always to the approval of the mayor, have exclusive authority and power to order by concurrent vote the laying out, locating anew and discontinuing of, and making of specific repairs and alterations in, all streets and ways and all highways within the limits of the city, and the laying out of common sewers and public drains; to assess the damages sustained thereby by any person; and, except as herein otherwise provided, to act in matters relating to such laying out, locating anew, altering, discontinuing or repairing; but in all such matters action shall first be taken by the board of aldermen. There shall be no appeal from the decision of the city council in refusing to lay out, locate anew, alter, discontinue or order specific repairs in any street, way or highway. Any person aggrieved by the action of the city council in the assessment of his damages in any case mentioned in this section shall have all the rights and privileges now by law in similar cases allowed in appeals from the doings of selectmen.

General powers and duties of city council.

SECTION 23. Except as herein otherwise provided the city council shall in general have and exercise by concurrent vote the legislative powers of towns and of the inhabitants thereof, and shall have all the powers and authority given to city councils under the general laws of the Commonwealth, and be subject to the duties imposed on city councils; and the board of aldermen shall have and exercise all the powers, other than executive, given to selectmen of towns, and to the board of aldermen of the city of Marlborough under any special laws heretofore passed with reference to said city of Marlborough, and all the powers and authority given to boards of aldermen of cities not inconsistent with the provisions of this act, and shall be subject to the duties imposed upon such boards.

Term of office of mayor.

SECTION 24. The mayor shall be elected from the qualified voters of the city and shall hold office for the municipal year next succeeding his election and until his

successor is elected and qualified, except that when elected to fill a vacancy he shall hold office only for the unexpired term and until his successor is elected and qualified.

SECTION 25. The mayor shall be the chief executive officer of the city, and the executive powers of the city shall be vested in him and be exercised by him either personally or through the several officers and boards in their respective departments, under his general supervision and control. The mayor may by notice in writing suspend any person holding office by election by the city council, or by appointment and confirmation by the board of aldermen, from exercising the duties of such office for a period not exceeding ten days; and in such case shall within twenty-four hours thereafter file in the office of the city clerk written notice of such action and of his reasons therefor. The city clerk shall immediately cause written notice of such action of the mayor to be sent by mail to the members of the body charged with the election or confirmation, as the case may be, of incumbents of such office. Such body shall, after written notice to the person so suspended, give a hearing before the expiration of such term of suspension, upon the reasons assigned for his suspension, at which hearing he shall have an opportunity to be heard. The mayor may, after such hearing, remove such suspended officer from his office, provided two thirds of all the members of such body shall by vote taken by yeas and nays assent to such removal. The city council may remove from office any person elected thereto by said body, after written notice and a hearing given to such person, provided that two thirds of all the members of each branch of the city council, acting concurrently, shall vote in favor of such removal, by a yea and nay vote.

Mayor to be chief executive officer.

Removal of municipal officers.

SECTION 26. The mayor shall communicate to the city council such information and shall recommend such measures as in his judgment the interest of the city shall require; shall cause the laws, ordinances and orders for the government of the city to be enforced, and shall secure an honest, efficient and economical conduct of the executive and administrative business of the city, and the harmonious and concerted action of the different administrative and executive departments.

General powers and duties of mayor.

SECTION 27. In case of a vacancy in the office of mayor, or in case of his death, resignation or absence

Vacancy in office of mayor, etc.

from the Commonwealth, or of his inability from other cause to perform the duties of his office, the president of the board of aldermen shall, under the style of acting mayor, exercise the powers and perform the duties of mayor, except that he shall not, unless authorized thereto in a special instance by the city council, make any permanent appointment or removal from office; nor shall he, unless such disability of the mayor has continued at least ten days, or unless the office of mayor has become vacant, have power to approve or disapprove any ordinance, order, resolution or vote of the city council.

Appointments
by mayor and
aldermen.

SECTION 28. The mayor shall appoint, subject to the confirmation or rejection of the board of aldermen, all the officers of the city, except those whose election or appointment is herein otherwise provided for. No such appointment made by the mayor shall be acted upon by the board of aldermen until the expiration of one week from the time when the appointment is transmitted to the board, except by unanimous consent.

Record of
official acts
of mayor to
be kept.

SECTION 29. The mayor shall cause to be kept a record of all his official acts, and for that purpose and to aid him in his official duties he may at any time require the aid of any clerk regularly employed by the city.

Mayor to con-
sult with heads
of departments.

SECTION 30. The mayor shall as often as once in each month call together for consultation upon the affairs of the city the heads of departments, who shall whenever called upon furnish such information relative to their respective departments as he may request.

Estimates for
the several de-
partments, etc.

SECTION 31. The mayor shall, prior to the first day of March in each year, cause to be made to him by the heads of departments and by all other officers and boards having authority to expend money, detailed estimates of the amounts deemed by them to be necessary for their respective departments for the financial year, which shall begin on the first day of January; and he shall, not later than the first week in March, transmit such estimates to the city council, recommending appropriations for each department or purpose as he shall deem necessary therefor.

Appropriations
and expendi-
tures.

SECTION 32. No sum appropriated for a specific purpose shall be expended for any other purpose; and no expenditure shall be made and no liability incurred by or in behalf of the city until the city council has duly voted an appropriation sufficient to meet such expenditure or liability, together with all prior unpaid liabilities which

are payable therefrom, except that after the expiration of the financial year and before the making of the regular annual appropriations liabilities payable out of a regular appropriation may be incurred to an amount not exceeding one fourth of the total of the appropriation made for similar purposes in the preceding year.

SECTION 33. The mayor shall annually require all boards and officers intrusted with the receipt and expenditure of public money and with the care and custody of public property to make particular and detailed statements thereof, and shall cause such statements to be published for the information of the citizens.

Annual statements of receipts, expenditures, etc.

SECTION 34. There shall be the following administrative officers, who shall perform the duties by law prescribed for them respectively, and such further duties not inconsistent with the nature of their respective offices and with general laws as the city council may prescribe: — A city treasurer, a city collector, a city auditor, a city solicitor, a city physician, a city engineer, a board of assessors, to consist of three persons, a board of overseers of the poor, to consist of three persons, a board of health, to consist of three persons, and of whom the city physician shall by virtue of his office be one, and a board of public works, to consist of three persons. The treasurer, collector, auditor, solicitor, physician and engineer shall be elected annually in the month of January by the concurrent vote of both branches of the city council, and shall hold office for the term of one year. The members of the board of assessors, overseers of the poor, and the two members who with the city physician are to compose the board of health, shall be elected respectively by concurrent vote of both branches of the city council for the term of three years, excepting that said two members of the board of health shall be elected for the term of two years; and one member of each of said boards, exclusive of the city physician, shall be elected annually in the month of January, as the terms of the incumbents of said offices expire. Vacancies occurring in any of said boards or offices may be filled by the city council by concurrent vote at any time for the unexpired term. The board of public works shall be appointed in the month of January by the mayor and confirmed by the board of aldermen; of the members of said board first appointed one shall be appointed for the term of three years, one for the term of

Administrative officers.

two years and one for the term of one year, and thereafterwards one member shall be appointed annually in the month of January for the term of three years. The mayor shall designate the chairman of said board. Vacancies occurring in said board may be filled by the mayor and aldermen at any time for the unexpired term, in the same manner as original appointments are made to said office. The respective terms of the foregoing officers and members shall begin on the first Monday of February in the year of their election or appointment, respectively, and they shall hold office until their successors are duly elected or appointed, and qualified.

Board of public works, powers and duties.

Obstruction of highways, etc.

Plans to be made showing existing water courses, etc.

SECTION 35. The board of public works shall have and exercise the powers of surveyors of highways, and shall also have charge of the construction, maintenance, alteration and repair of all streets, highways and other ways, and of all sidewalks, bridges and sewers, sewerage works, drains and waterways. No department of said city and no corporation or person shall at any time open, dig up or otherwise obstruct any street, highway, way or sidewalk in the city, or lay pipes or erect or maintain poles or any other structure within the location of any such street, highway, way or sidewalk, except by order of the city council, without the consent of said board in writing previously obtained. Said board may apportion and delegate its various powers and duties among sub-departments or divisions, each of which may be in charge of a superintendent or foreman, who shall be appointed and may be removed by said board.

SECTION 36. The board of public works shall from time to time as the city council shall direct cause to be made under its direction plans of such territory or sections of land in said city as said city council shall direct, showing thereon existing water courses and valleys, and the location, grades and the required sections or carrying capacity of such water courses, so far as may be necessary for the complete and proper carrying of the estimated quantity of water that should be provided for through said valleys and water courses, and also the width or amount of land necessary to be entered upon for the proper construction and maintenance of drains or waterways to be used therefor. Said plans shall also show such existing buildings, streets, property lines and other data as may be required for the proper determination of

such location indicated ; but inaccuracies and omission of such information shall not render such plans invalid. No person or corporation shall enter any drain or sewer into any such water course, nor conduct any sewerage or drainage matter or pollution of any kind therein, nor into any water course, channel or stream, natural or artificial, connected therewith, and shall not injure, destroy, divert or obstruct any such water course.

Water courses, etc., not to be polluted, etc.

SECTION 37. The board of public works shall from time to time, as directed by the city council, cause plans to be made of such portions of the city as said city council shall direct, showing thereon the location of existing streets, ways and parks, and all such streets, ways and parks, whether already laid out or not, as said board of public works shall be of the opinion the present or future necessity of the city shall require within the territory upon said plans, showing clearly the direction, width, grade and boundary lines of such streets, ways and parks. The completion and filing as herein provided of any such plan shall define the location for streets, ways and parks in the portion covered by said plan. No street or way shall hereafter be laid out by the city council in territory included in said plans, except in accordance with streets and ways as laid out thereon.

Plans to be made showing location of existing streets, parks, etc.

SECTION 38. Before making any plan as herein provided the board of public works shall, after due notice to all parties interested, give a hearing ; and after the making of said plan and before adopting and recording the same shall give a like notice, and shall keep said plan open to public inspection for two months after the first notice of said second hearing and before the date thereof. Notice shall be given of each such hearing and the placing of each such plan open to public inspection, in at least two newspapers published in said city, once a week for three successive weeks before the hearing or placing of said plan open to public inspection. Said plan after said hearings and after being kept open to public inspection as herein provided, and after such alterations shall have been made thereon as may be deemed necessary by said board, shall be marked as made under the provisions of this act, be signed and approved by a majority of said board of public works and be filed in the office of the city engineer, and the date of the filing be written thereon and attested by said city engineer. Every plan so signed

Hearing to be given, plans to be open to public inspection, etc.

Plans may be amended, etc. and attested shall be prima facie evidence that said plan and all data made thereon are under the authority of and in accordance with the provisions of this act. Every such plan may be amended, annulled or repealed after like notices, hearings and proceedings as for adopting the same, either by said board of public works or by the city council.

May enter upon lands, make surveys, etc.

Damages, etc.

SECTION 39. The board of public works may enter into and upon any land so far as it deems necessary to carry out the provisions of this act, and make such examinations and surveys as it deems necessary. Any person injured in his property by acts done under the provisions of this section shall be entitled to damages therefor, to be determined in the manner provided for determining and paying damages sustained in laying out streets and ways in said city. The preceding sections, thirty-five to thirty-nine, inclusive, shall not be construed to authorize any taking or condemnation of land or rights in or appertaining to land, or any water rights or easements.

Enforcement of provisions of sections 35 to 40.

SECTION 40. Said city may from time to time make ordinances for the purpose of enforcing and carrying out the provisions of sections thirty-five to forty, inclusive, of this act, and affix penalties thereto not exceeding fifty dollars for each offence.

Additional officers, etc.

SECTION 41. The city council may from time to time, subject to the provisions of this act and in accordance with general laws, if they exist in any particular case, provide by ordinance for the establishment of additional boards and other officers for the control and care of public parks, public grounds and cemeteries, and for other municipal purposes; may determine the number and duties and terms of office of the incumbents of such boards and offices; and for such purposes may delegate to such boards and offices the administrative powers given by general laws to city councils and boards of aldermen. The city council may likewise from time to time consolidate boards and offices now or hereafter established under the provisions of this act, and may separate and divide the powers and duties of such boards and offices, and may transfer such powers and duties to other boards and offices now or hereafter established under the provisions of this act, may increase the number of persons constituting either of the boards above-

Changes in boards and offices.

specified, and when such increase has been made may subsequently diminish the number, may increase or diminish the number of persons who shall perform the duties of an office or board now or hereafter established as above-provided, and may abolish an office or board so hereafter established. The members of all boards and offices provided for in this section shall be appointed by the mayor and confirmed by the board of aldermen. The term of every administrative officer and of members of every administrative board, not otherwise provided for, shall begin on the first Monday of February in each year, and shall continue for one year, unless the city council by ordinance shall otherwise determine; and every such officer or member shall continue to hold office until his successor is duly appointed or elected, and qualified. Nothing in this section shall be construed to prevent the appointment or election of any such officer or member at any time to serve during the remainder of the prescribed term.

Appointment,
terms, etc., of
certain officers.

SECTION 42. All administrative officers shall be sworn to the faithful discharge of their respective duties, and certificates of their oaths shall be made and kept in the office of the city clerk; and all such boards and other officers shall keep a record of their official transactions, and such record shall be open to public inspection.

Oaths of office,
records.

SECTION 43. The city council shall require the city treasurer, the city collector, and the city clerk, and may require all other officers who are intrusted with the receipt, care or disbursement of money, to give bonds with such security as it shall deem proper, for the faithful discharge of their respective duties.

Certain officers
to give bonds.

SECTION 44. The administrative boards and officers above-specified, and every administrative board and officer hereafter established by the city council under the provisions of this act, and having the charge of a department, shall have the power to appoint and employ and to discharge and remove all subordinate officers, clerks and assistants, in their respective departments; and they shall keep a record, subject to inspection, of all so appointed and employed and of all discharged and removed, and, in case of discharge and removal, of the grounds therefor.

Subordinate
officers, clerks,
etc., of adminis-
trative boards,
etc.

SECTION 45. The several administrative boards and officers having charge of departments shall within their

Employment of
labor, making
of contracts, etc.

Employment of
labor, making
of contracts, etc.

respective departments employ all labor, make and execute all necessary contracts, purchase all materials and supplies, have the entire care, custody and management of all public works, institutions, buildings and other property, and shall in general have the immediate direction and control of all executive and administrative business; and they shall at all times be accountable for the proper discharge of their duties to the mayor as the chief executive officer of the city. All contracts made in behalf of the city in which the amount involved exceeds three hundred dollars, in order to be valid, shall be approved in writing by the mayor; and except as herein otherwise provided or by law required no expenditure shall be made or liability incurred for any purpose beyond the appropriations previously made therefor.

Police department.

SECTION 46. The city council shall establish a police department, to consist of a city marshal or chief of police, and as many regular police officers as it may from time to time decide. The city marshal or chief of police shall be appointed annually for the term of one year and until his successor is appointed and qualified. All regular police officers shall serve during good behavior and until removed for cause, after due notice and hearing. Such number of special police officers and of constables as the city council may from time to time decide shall also be appointed.

Fire department.

SECTION 47. The city council shall establish a fire department and provide for the appointment of a chief engineer and of such other members of the department as it may from time to time determine.

Water commissioners, election, terms, etc.

SECTION 48. The city council shall elect by concurrent vote a board of water commissioners, to consist of three persons, to serve for three years, one to be elected in January in each year as the respective terms of office of the present incumbents expire, and one each year thereafter. The mayor shall designate the chairman of said board. Said board may appoint and remove a superintendent of water works and a water registrar, and may fix the salaries of said officers. Said board shall exercise such powers and perform such duties in relation to the city water works and water supply as the city council shall by ordinance prescribe and by order direct, and in the absence of such ordinance or order

said board shall have and exercise the powers and duties intrusted to the water commissioners of the city of Marlborough by existing law. The city council may by ordinance abolish said board and in like manner may provide that any or all said powers and duties shall be vested in the board of public works, or in any other board established under the provisions of this act. Vacancies occurring in said board may be filled by the city council by concurrent vote at any time.

Vacancies.

SECTION 49. The city council shall elect by concurrent vote nine persons to be trustees of the public library, to serve for three years, three to be elected in January in each year as the respective terms of office of the existing library committee expire, and three each year thereafter. The present incumbents of the library committee shall continue to hold their said offices until the expiration of their respective terms as provided in this act, under the name of the trustees of the public library. Vacancies occurring in said board may be filled by the city council by concurrent vote at any time. Said trustees shall have the management and control of the public library of said city of Marlborough, and the expenditure of all moneys which may be appropriated by said city for said library, and of all moneys which may come into the possession of said city for the benefit of said library, and may employ such assistants as they shall deem necessary, and establish their rate of compensation.

Trustees of public library, election, terms, etc.

Vacancies, etc.

SECTION 50. Every administrative board, through its chairman, and every officer having charge of a department shall at the request of either branch of the city council appear before it and give such information as it may require in relation to any matter, act or thing connected with the discharge of the duties of such board or office; and when so requested to appear the officer who appears shall have the right to speak upon all matters under consideration relating to his department.

Officers to appear and give information.

SECTION 51. The city council shall establish by ordinance the salary or compensation of every officer except the mayor and except as herein otherwise provided; but after the first municipal year under this act no ordinance changing any such salary or compensation shall take effect until the municipal year succeeding that in which the ordinance is passed.

Salaries.

School committee, election, term, etc.

SECTION 52. The management and control of the public schools of the city shall be vested in a school committee, consisting of seven members, who shall be elected, one from each ward, by the qualified voters of the entire city, and shall serve without compensation for the term of three years beginning on the first Monday in January, and shall be elected as follows: At the first annual municipal election held under this act and at the annual municipal election occurring in every succeeding year thereafter there shall be elected as many members of the school committee as may be necessary to fill the vacancies occurring in said board by reason of expiration of terms of service in the municipal year in which such election occurs. The mayor shall be the presiding officer of said board but shall not have the right to vote.

Vacancies.

SECTION 53. In case of a vacancy in the office of a member of the school committee the mayor shall call a joint convention of the city council and of the school committee, at which the mayor shall preside; and such vacancy shall by vote of a majority of all the members of the two bodies be filled by the election of a member to serve until the end of the municipal year in which the warrant for the next annual municipal election shall be issued; and at such election the further vacancy, if any, shall be filled for the remainder of the unexpired term, in the same manner as the member whose office is vacant is elected.

Organization, quorum, etc.

SECTION 54. The school committee shall meet on the first Monday in January in each year and organize by the election by ballot of one of its members as chairman, who shall preside in the absence of the mayor, and by the election of a clerk. The committee shall be the judge of the election and qualification of its members and shall determine the rules for its proceedings. A majority of the whole number provided to be elected shall constitute a quorum for the transaction of business, but a smaller number may adjourn from time to time.

Superintendent of schools, etc.

SECTION 55. The school committee shall elect a superintendent of schools, who shall not be a member of said committee, and may appoint such other subordinate officers and assistants as it may deem necessary for the proper discharge of its duties and the conduct of its business; shall define their terms of service and duties and fix their compensation, and may remove and discharge them at pleasure.

SECTION 56. The school committee, in addition to the exercise of the powers and the discharge of the duties imposed by law upon school committees, shall, subject to the approval of the mayor and to the provisions of the following three sections, have full power and authority to select and purchase lands for school purposes, to determine the plans of all school buildings to be erected, to order all additions, alterations and repairs to school buildings, and to provide when necessary temporary accommodations for school purposes, and shall supervise and direct the making of all additions, alterations and repairs to school buildings.

School lands,
buildings, etc.

SECTION 57. The school committee shall in the month of January in each year submit to the mayor an estimate in detail of the amount deemed by it necessary to expend for its purposes during the succeeding financial year; and the mayor shall transmit the same, with the estimates of the departments, to the city council, and shall recommend such appropriations as he shall deem necessary.

Estimates of
expenses.

SECTION 58. Unless thereto required by law the school committee shall cause no liability to be incurred and no expenditure to be made for any purpose beyond the specific appropriation which may be made therefor by the city council, except that after the expiration of the financial year and before the making of the regular annual appropriations liabilities payable out of a regular appropriation may be incurred, to an amount not exceeding one fourth of the total of the appropriation made for similar purposes in the preceding year.

Liabilities, ex-
penditures, etc.

SECTION 59. All orders, resolutions and votes of the school committee which involve the expenditure of money shall be presented to the mayor for his approval in writing; and thereupon the same proceedings shall be had as are provided by law in relation to similar orders, resolutions and votes of a city council.

Orders, etc.,
involving ex-
penditure of
money.

SECTION 60. The general laws relating to the municipal indebtedness of cities, not inconsistent with special laws heretofore passed with reference to the city of Marlborough, the general laws requiring the approval of the mayor to the doings of a city council or of either branch thereof, and relative to the exercise of the veto power by the mayor of a city, and the provisions of chapter three hundred and twenty of the acts of the year eighteen hundred and eighty-four and all acts in amendment thereof

Certain provi-
sions of law to
apply.

and in addition thereto, shall have full force, application and effect in said city.

Certain provisions of law to continue in force.

SECTION 61. All general laws in force in the city of Marlborough when this act shall be accepted as herein provided, and all special laws heretofore passed with reference to said city of Marlborough not inconsistent with the provisions hereof, and which shall then be in force therein, shall, until altered, amended or repealed, continue in force in the said city of Marlborough.

Certain persons to continue in office until organization of city government, etc.

SECTION 62. The persons holding the offices of mayor and members of the city council in said city at the time when this act takes effect and becomes of force therein, as herein provided, shall continue to hold such offices until the organization of the city government hereby authorized shall be effected, and until their successors shall be chosen and qualified; all other persons holding office in said city at said time, whether by election by the voters, election by the city council, or by appointment and confirmation by the board of aldermen, shall continue to hold such office until the expiration of the respective terms for which said incumbents were elected or appointed and until their successors are elected or appointed, and confirmed and qualified, except as otherwise provided in this act. Every person elected or appointed to office under the provisions of this act shall serve, except as herein otherwise provided, for the term for which he was elected or appointed and until his successor is elected or appointed, and confirmed and qualified according to law.

Certain proceedings not affected, etc.

SECTION 63. No suits, prosecutions or other legal proceedings in which said city is a party, pending at the time when this act takes effect in said city, and no rights then already accrued or penalties or forfeitures incurred under any such proceedings, shall be affected or impaired by the taking effect of this act, and all ordinances of said city shall continue in force until repealed or superseded.

Trust funds.

SECTION 64. Trust funds now or hereafter given to or held by said city shall be received, held and administered by the city council of the city, and trust funds now or hereafter given to or held by designated officers of the city shall be received, held and administered by the mayor or by other officers of the said city having powers corresponding to those of the officers who formerly held and administered such funds.

SECTION 65. The board of aldermen shall notify of their election the persons elected at the first election under this act, and shall provide and appoint a place for the first assembling of the mayor and city council, and for the meeting of the city council on the first Monday in the January next ensuing; and shall by written notices left at their respective places of residence at least twenty-four hours prior to such assembling, notify thereof the mayor elect and the members elect of the city council, who shall proceed to organize and carry into effect the provisions of this act, which shall then have full force and effect.

Persons elected at first election to be notified, etc.

SECTION 66. A meeting of citizens entitled to vote in all wards may be called for the purpose of submitting the question of the acceptance of this act to the legal voters of said city at any time after the passage hereof, except in the months of November and December. At such meetings the polls shall be open not less than eight hours and the vote taken by ballot, in accordance with the provisions of chapter four hundred and seventeen of the acts of the year eighteen hundred and ninety-three, and of all other acts relating to the city elections, so far as the same shall be applicable, in answer to the question, "Shall an act passed by the general court in the year eighteen hundred and ninety-six, entitled 'An Act to revise the charter of the city of Marlborough', be accepted?"; and the affirmative votes of the majority of the voters present and voting thereon shall be required for its acceptance. If at the meetings so called this act shall fail to be thus accepted it may at the expiration of one year from any such previous meetings be again thus submitted for acceptance, but not after the period of three years from the passage hereof.

Meetings for submitting question of acceptance.

SECTION 67. This act, or any part thereof, shall not be altered or amended without having such alteration or amendment first approved by the affirmative vote of a majority of the voters of the whole city present and voting at any legal election.

Amendments, etc., to be approved by a majority vote.

SECTION 68. So much of this act as authorizes the submission of the question of its acceptance to the legal voters of said city shall take effect upon its passage, but it shall not take further effect unless accepted by the legal voters of said city as herein prescribed.

When to take effect.

Approved May 8, 1896.

Chap.380 AN ACT RELATIVE TO VACANCIES IN THE OFFICE OF MAYOR.
Be it enacted, etc., as follows :

Who shall act
in case of
vacancy, etc.,
in office of
mayor.

SECTION 1. Except where otherwise provided by city charters, in case of the death, resignation or absence of the mayor of any city, or of his inability to perform the duties of his office, the same shall devolve upon the chairman or presiding officer of the board of aldermen of such city, and if there is no such chairman or presiding officer, or if such chairman or presiding officer is also absent or unable from any cause to so perform the duties of the office of the mayor, the same shall then devolve upon the president of the common council, if there is any; and if there is no such president of the common council, then upon such alderman as the board of aldermen from time to time may elect, until the mayor or chairman or presiding officer of the board of aldermen is able to attend to said duties or until the vacancy is filled as provided by the charter of such city.

To be styled
acting mayor.

SECTION 2. The person on whom such duties shall devolve shall be styled "Acting Mayor", and shall possess the powers of mayor only in matters not admitting of delay, and shall have no power to make any permanent appointments.

Repeal.

SECTION 3. Chapter one hundred and eighty-two of the acts of the year eighteen hundred and eighty-two is hereby repealed.

SECTION 4. This act shall take effect upon its passage.

Approved May 9, 1896.

Chap.381 AN ACT RELATIVE TO THE PRESENTATION OF CERTAIN PETITIONS TO
 THE GENERAL COURT.

Be it enacted, etc., as follows :

Copies of
petitions for
incorporation,
etc., of educa-
tional institu-
tion to be
published.

SECTION 1. Whoever intends to present to the general court a petition for the incorporation of a college or university or other educational institution, with power to grant degrees, or for an amendment to the charter of an existing educational institution so that the said institution not having such power shall thereafter have power to grant degrees, shall give notice of such petition by publishing a copy of the same once a week for three successive weeks in such newspaper or newspapers as the secretary of the state board of education shall direct,

the last publication to be made at least fourteen days before the session at which the petition is to be presented.

SECTION 2. Such petitions shall be deposited with the secretary of the state board of education, with proof of publication satisfactory to him, on or before the first day of January, and the said secretary shall transmit the same to the general court during the first week of the session, with the endorsement, in each case, that the required publication has been made.

Petitions to be deposited with secretary of state board of education, etc.

SECTION 3. This act shall take effect upon its passage.

Approved May 9, 1896.

AN ACT RELATIVE TO THE COST OF EDUCATION IN THE PUBLIC SCHOOLS OF CHILDREN UNDER THE CHARGE OF THE STATE BOARD OF LUNACY AND CHARITY, OR OF THE TRUSTEES OF THE LYMAN AND INDUSTRIAL SCHOOLS.

Chap. 382

Be it enacted, etc., as follows:

SECTION 1. For the education and instruction in the public schools in any town or city of any child or children between the ages of five and fifteen years who shall be placed, boarded or bound out by the state board of lunacy and charity, or by the trustees of the Lyman and industrial schools, or kept under the control of either of said boards in said town or city, other than the town or city from which said children are entitled by law to receive education and instruction, the Commonwealth shall pay to such town or city the sum of fifty cents for each week of five days, or major part thereof, of attendance of each of such children in the public schools.

Payment of cost of education of certain children.

SECTION 2. Settlements of the accounts of the several towns and cities with the Commonwealth under this act shall be made annually on the first day of April, and the amounts found due shall be paid within three months thereafter.

Settlements to be made annually.

SECTION 3. The money received by said cities and towns under the provisions of this act shall be added by them to the appropriations for the salaries of the teachers in the public schools of such cities and towns.

Disposition of money received.

Approved May 9, 1896.

AN ACT RELATIVE TO THE STATE BALLOT LAW COMMISSION.

Chap. 383

Be it enacted, etc., as follows:

SECTION 1. The state ballot law commission shall hereafter consist of three members, and they shall be so

State ballot law commission, appointment, terms, etc.

State ballot law
commission,
appointment,
terms, etc.

selected that at least one of said members shall be of the political party which at the annual state election next preceding their appointment cast the largest vote for governor, and at least one of said members shall be of the political party which cast the next largest vote for governor. The governor with the consent of the council shall in the month of June or July during the current year appoint three persons as members of the state ballot law commission, for the terms of one, two and three years respectively from the first day of August next, and in June or July in succeeding years one person for the term of three years from and after the expiration of the term of office of the member whose term expires in that year. The governor with the consent of the council may remove any member of the commission. Any vacancy in said commission shall be filled by appointment in a like manner for the remainder of the unexpired term.

Vacancy.

Not to hold
certain other
office, etc.

SECTION 2. No member of the state ballot law commission shall hold any public office except that of justice of the peace or notary public, or be a candidate for public office, or an employee or a member of any committee of any political party. If any member of the commission shall be nominated as a candidate for public office and shall not in writing decline said nomination within the period of three days he shall be deemed to have vacated his office as a member of said commission.

May summon
witnesses, etc.

SECTION 3. The state ballot law commission may summon witnesses and administer to them oaths, and may require the production of books and papers at a hearing before them upon any matter within their jurisdiction. Witnesses shall be summoned in the same manner, be paid the same fees, and be subject to the same penalties for default, as witnesses summoned before the general court. A summons may be signed and an oath may be administered by any member of the said commission.

Decision to be
final.

SECTION 4. The decision of a majority of the members of the commission upon any matter within its jurisdiction shall be final.

Compensation.

SECTION 5. The members of the state ballot law commission shall be paid such compensation for their services, not exceeding five hundred dollars each, as the governor and council may determine; and the total expenditures by and on account of said commission shall not exceed the sum of two thousand dollars in any one year.

SECTION 6. Sections ninety-two, ninety-three, ninety-four and ninety-five of chapter four hundred and seventeen of the acts of the year eighteen hundred and ninety-three, and chapter three hundred and forty-three of the acts of the year eighteen hundred and ninety-four, are hereby repealed.

SECTION 7. This act shall take effect upon its passage.

Approved May 9, 1896.

AN ACT RELATIVE TO THE VOTES AND PROCEEDINGS OF COUNTY COMMISSIONERS. Chap. 384

Be it enacted, etc., as follows :

SECTION 1. The county commissioners in each county shall keep a full and complete record of the proceedings at all of their meetings and, in all cases where the vote or decision of the county commissioners is not unanimous, the record shall be so kept as to show which of the county commissioners voted in the affirmative and which in the negative; and a copy of said record, attested by the clerk of the county commissioners, shall on or before the fifteenth day of January in each year be transmitted to the controller of county accounts, and the controller shall submit the same to the general court.

County commissioners to keep a record of proceedings at meetings, etc.

SECTION 2. In counties where there is no assistant clerk of courts the county commissioners may appoint a clerk pro tempore of the board, who may be a woman, and who shall be sworn by the chairman of the board, and who shall make a full record of the proceedings of the meetings and return the same forthwith to the clerk of the commissioners, who shall enter the same upon the records of the commissioners.

Clerk pro tempore may be appointed in certain cases.

Approved May 9, 1896.

AN ACT RELATIVE TO TRAMPS.

Chap. 385

Be it enacted, etc., as follows :

SECTION 1. Any person, not being a minor under seventeen years of age, a blind person, or a person asking charity within his own city or town, who roves about from place to place begging, or living without labor or visible support, shall be deemed a tramp. An act of begging or soliciting alms, whether of money, food, lodging or clothing, by a person having no residence in the town within which such act is committed, or the riding upon a freight train of any railroad, whether

Certain persons to be deemed tramps.

within or without any car or part thereof, without a permit from the proper officers or employees of such railroad or train, shall be prima facie evidence that such person is a tramp.

Repeal.

SECTION 2. Section thirty-eight of chapter two hundred and seven of the Public Statutes is hereby repealed.

Approved May 9, 1896.

Chap.386 AN ACT TO AUTHORIZE THE UNITED ELECTRIC LIGHT COMPANY TO DO BUSINESS IN ADJOINING CITIES AND TOWNS, TO HOLD CERTAIN STOCK AND TO ISSUE BONDS.

Be it enacted, etc., as follows :

The United Electric Light Company may extend its business, etc.

SECTION 1. The United Electric Light Company, located in Springfield, is hereby authorized, upon the approval of the board of gas and electric light commissioners, to carry on its business in the cities and towns adjoining said Springfield, with all the rights, powers and privileges and subject to all the duties and liabilities in said adjoining cities and towns which now are or may be in force applicable to such corporations; and said corporation may hold the stock of the Indian Orchard Company, and may issue bonds in such amounts and at such times as the said board of gas and electric light commissioners may determine, and may mortgage or pledge as security for the payment of such bonds its franchises and any or all of its estate, real and personal.

SECTION 2. This act shall take effect upon its passage.

Approved May 11, 1896.

Chap.387 AN ACT TO REPEAL CHAPTER FORTY-FIVE OF THE ACTS OF THE YEAR EIGHTEEN HUNDRED AND NINETY, RELATIVE TO THE WOONSOCKET ELECTRIC MACHINE AND POWER COMPANY.

Be it enacted, etc., as follows :

1890, 45,
repealed.

SECTION 1. Chapter forty-five of the acts of the year eighteen hundred and ninety, entitled "An Act to authorize the Woonsocket Electric Machine and Power Company of Rhode Island to erect and maintain poles and wires and to furnish electric light and power in the town of Blackstone, in the state of Massachusetts", is hereby repealed.

SECTION 2. This act shall take effect upon its passage.

Approved May 12, 1896.

AN ACT TO AUTHORIZE THE REVOCATION OR REVISION OF ORDERS *Chap.388*
REQUIRING RECOGNIZANCES.

Be it enacted, etc., as follows :

When a person has been ordered to enter into a recognizance with sureties, under the provisions of chapter two hundred and eleven of the Public Statutes, the court ordering such recognizance may at any time, for good cause, revoke such order, or reduce the amount required, or direct that the defendant's recognizance be taken without surety.

Orders requiring recognizances may be revoked, etc.

Approved May 12, 1896.

AN ACT RELATIVE TO LARCENY COMMITTED IN BUILDINGS, OR ON SHIPS AND VESSELS. *Chap.389*

Be it enacted, etc., as follows :

Section sixteen of chapter two hundred and three of the Public Statutes is hereby amended by striking out the word "or", in the first line, and by inserting after the word "vessel", in the same line, the words :—or railroad car,—so that the section as amended shall read as follows :—*Section 16.* Whoever steals in a building, ship, vessel, or railroad car, shall be punished by imprisonment in the state prison not exceeding five years, or by fine not exceeding five hundred dollars, or by imprisonment in the jail not exceeding two years.

P. S. 203, § 16, amended.

Penalty for stealing in buildings, ships, etc.

Approved May 12, 1896.

AN ACT TO AUTHORIZE THE HANOVER STREET RAILWAY COMPANY TO EXTEND ITS TRACKS. *Chap.390*

Be it enacted, etc., as follows :

SECTION 1. The Hanover Street Railway Company is hereby authorized to extend and operate its railway in and through the town of Norwell, upon locations granted by the board of selectmen of said town and subject to such limitations and conditions as may be imposed by said board, and all locations and rights heretofore granted to said Hanover Street Railway Company are hereby ratified and confirmed.

May extend its railway into Norwell, etc.

SECTION 2. This act shall take effect upon its passage.

Approved May 12, 1896.

Chap.391 AN ACT RELATIVE TO THE PAYING IN OF CAPITAL STOCK AND TO THE LIABILITY OF OFFICERS AND STOCKHOLDERS OF FOREIGN CORPORATIONS DOING BUSINESS IN THIS COMMONWEALTH.

Be it enacted, etc., as follows:

Liability of officers and members of certain foreign corporations.

SECTION 1. The officers and members or stockholders in any corporation established under the laws of any other state or foreign country, and hereafter and not now having a usual place of business in this Commonwealth, shall be jointly and severally liable for its debts and contracts, on the same conditions and in the same manner as provided in the case of domestic corporations, by sections sixty to seventy-one inclusive of chapter one hundred and six of the Public Statutes; but the liability under clause four of said section sixty shall not apply in the case of foreign corporations.

Liability when certain property is not conveyed and taken at a fair valuation, etc.

SECTION 2. If the capital stock of any corporation subject to section one of this act has been paid in by a conveyance to the corporation of property, real or personal, the officers, members or stockholders of such corporation shall be jointly and severally liable for its debts or contracts, if said property is not conveyed and taken at a fair valuation. But only those officers or stockholders who participate in the conveyance or taking of such property at such unfair valuation, or those stockholders who have purchased or received their shares with knowledge of said fact, shall be liable for such debts. The extent and manner of enforcing such liability shall be the same as provided in sections sixty-nine to seventy-one inclusive of chapter one hundred and six of the Public Statutes in the case of domestic corporations.

Enforcement of liability.

SECTION 3. This act shall take effect upon its passage.

Approved May 12, 1896.

Chap.392 AN ACT TO AUTHORIZE THE CITY OF LYNN TO BORROW MONEY FOR THE PURPOSE OF BUILDING SEWERS AND DRAINS.

Be it enacted, etc., as follows:

City of Lynn
Sewer Loan,
Act of 1896.

SECTION 1. The city of Lynn, for the purpose of building sewers and drains, may incur indebtedness from time to time to an amount not exceeding forty thousand dollars beyond the limit of indebtedness fixed by law for said city; and for this purpose may issue from time to time bonds, notes or scrip not exceeding said amount.

Such bonds, notes and scrip shall bear on their face the words, City of Lynn Sewer Loan, Act of 1896, and shall be payable at the expiration of periods not exceeding twenty years from the date of issue, shall bear interest payable semi-annually at a rate not exceeding six per cent. per annum, and shall be signed by the mayor and treasurer of said city. The said city may sell such securities at public or private sale, or pledge the same for money borrowed for the purpose of building sewers or drains, upon such terms and conditions as it may deem proper. The said city shall provide at the time of contracting said loan for the establishment of a sinking fund and shall annually contribute to such fund a sum sufficient with the accumulations thereof to pay the principal of said loan at maturity. The said sinking fund shall remain inviolate and pledged to the payment of said loan and shall be used for no other purpose; and said city shall raise annually by taxation a sum sufficient to pay the interest as it accrues on said bonds, notes and scrip.

Sinking fund.

SECTION 2. The receipts from assessments and payments made in lieu thereof, levied on account of the sewers and drains constructed under this loan, shall be applied to the payment of the expenses of maintenance and operation of the systems of sewerage of said city of Lynn, now built, or which shall hereafter be built, and for the payment of the cost of the further extension of the said systems, and for no other purpose, except that said city may apply any portion of such receipts to the payment of the interest upon bonds, notes or scrip issued in connection with said systems of sewerage, not otherwise provided for, or to the payment or redemption of said bonds, notes or scrip, as the said city shall determine; and all assessments which shall hereafter be collected or levied by reason of said systems of sewerage, or of any extension thereof, shall be applied and used in the same manner.

Payment of loan, etc.

SECTION 3. This act shall take effect upon its passage.

Approved May 12, 1896.

AN ACT RELATIVE TO THE QUALIFICATION AND REMOVAL OF ELECTION OFFICERS IN THE CITY OF BOSTON.

Chap. 393

Be it enacted, etc., as follows:

SECTION 1. Every election officer appointed in the city of Boston in accordance with the provisions of chap-

Qualification of election officers in the city of Boston.

ter four hundred and seventeen of the acts of the year eighteen hundred and ninety-three, and also in accordance with the provisions of section four of chapter four hundred and forty-nine of the acts of the year eighteen hundred and ninety-five, shall before entering upon the performance of the duties of his office appear before the board of election commissioners of said city, or before some member thereof, and make and subscribe an oath for the faithful performance of his duties, in a book to be kept for that purpose: *provided, however, that in case of the filling of a vacancy in the office of any election officer by an election from the floor the officer so elected may be sworn by the warden or clerk of the precinct in which the vacancy existed.*

Proviso.

Certain election officers may be removed, etc.

SECTION 2. In case any election officer shall upon the day of any election in the city of Boston be found to be incompetent, or shall be shown to be conducting himself in an improper manner, so as to prejudice the public interest, the board of election commissioners of said city shall have power to remove him forthwith and to appoint some other person of the same political party to act in his place; and such officer so removed shall not be entitled to receive any compensation for his services rendered on such day, and shall be disqualified for appointment as an election officer for the period of one year thereafter.

Approved May 12, 1896.

Chap. 394 AN ACT RELATIVE TO THE NEW ENGLAND BURGLARY INSURANCE COMPANY.

Be it enacted, etc., as follows:

1894, 77, § 1, amended.

New England Burglary Insurance Company incorporated.

SECTION 1. Section one of chapter seventy-seven of the acts of the year eighteen hundred and ninety-four is hereby amended by inserting after the word "by", in the tenth line, the word:— theft,— so that said section as amended will read as follows:— *Section 1.* William L. Douglas, Hosea Kingman, John J. Whipple, Walter Rapp, Emery M. Low, William R. Mitchell, George D. Alden, Henry L. May, E. Bertram Newton, Samuel M. Child, George R. Stimpson, Emanuel Nussbaum, their associates and successors, are hereby made a corporation by the name of the New England Burglary Insurance Company, to be established in the city of Boston, for the purpose of carrying on the business of guaranteeing indi-

viduals, firms and corporations against loss and damage by theft, burglary or housebreaking; and for this purpose shall have all the powers and privileges and be subject to all the duties, restrictions and liabilities, so far as the same shall be applicable, set forth in chapter two hundred and fourteen of the acts of the year eighteen hundred and eighty-seven and all acts in amendment thereof or in addition thereto.

SECTION 2. This act shall take effect upon its passage.

Approved May 12, 1896.

AN ACT TO AUTHORIZE THE CITY OF LYNN TO BORROW MONEY FOR THE PURPOSE OF PURCHASING LAND AND ERECTING THEREON AN ENGINE HOUSE.

Chap. 395

Be it enacted, etc., as follows:

SECTION 1. The city of Lynn, for the purpose of purchasing land near the West Lynn depot and erecting thereon an engine house, may incur indebtedness from time to time to an amount not exceeding ten thousand dollars beyond the limit of indebtedness fixed by law for said city, and for said purpose may issue from time to time bonds, notes or scrip not exceeding said amount. Such bonds, notes or scrip shall bear on their face the words, City of Lynn, Engine House Loan, Act of 1896, shall be payable at the expiration of periods not exceeding twenty years from the date of issue, shall bear interest payable semi-annually at a rate not exceeding six per cent. per annum, and shall be signed by the mayor and treasurer of said city. The said city may sell such securities at public or private sale or pledge the same for money borrowed for the purposes aforesaid, upon such terms and conditions as it may deem proper. The said city shall provide at the time of contracting said loan for the establishment of a sinking fund and shall annually contribute to such fund a sum sufficient with the accumulations thereof to pay the principal of said loan at maturity. The said sinking fund shall remain inviolate and pledged to the payment of said loan and shall be used for no other purpose; and said city shall raise annually by taxation a sum sufficient to pay the interest as it accrues on said bonds, notes and scrip.

City of Lynn,
Engine House
Loan, Act of
1896.

Sinking fund.

SECTION 2. This act shall take effect upon its passage.

Approved May 12, 1896.

Chap. 396 AN ACT RELATIVE TO THE REMOVAL OF LICENSE COMMISSIONERS.*Be it enacted, etc., as follows:*1894, 423, § 2,
amended.

SECTION 1. Section two of chapter four hundred and twenty-eight of the acts of the year eighteen hundred and ninety-four is hereby amended by inserting after the word "same", in the seventeenth line, the words:—Any license commissioner who has been removed by the mayor may, within seven days after receiving notice of his removal, petition, in term time or vacation, any justice of the superior court for a review of the charges, evidence submitted thereunder, and findings thereon of the mayor. Notice of the entry of such petition shall be given to the mayor by serving an attested copy of the petition upon him. The entry fee, costs, and all proceedings upon said petition shall be according to the rules regulating the trial of civil causes. The justice, after hearing, shall affirm or revoke the order of the mayor removing such commissioner, and there shall be no appeal therefrom,—so as to read as follows:—

License com-
missioners,
terms of office,
removals, etc.

Section 2. The terms of office of the members of each of such boards shall, except in the case of the members first appointed, commence on the first Monday in June in the year in which they are appointed and continue for the term of six years. The terms of the members first appointed shall commence at the date of their appointment, and shall be arranged, in the case of each board, so as to expire by rotation at the end of two, four and six years from the first Monday in June in the present year, the date of expiration to be specified in their respective commissions. Members of said boards shall hold their offices until their respective successors are appointed and qualified. The members of said board may be removed for cause by the mayor, after charges preferred, reasonable notice thereof and a hearing thereon; and the mayor shall, in the order of removal, express his reasons for the same. Any license commissioner who has been removed by the mayor may, within seven days after receiving notice of his removal, petition, in term time or vacation, any justice of the superior court for a review of the charges, evidence submitted thereunder, and findings thereon of the mayor. Notice of the entry of such petition shall be given to the mayor by serving an at-

Commissioners
removed may
petition for
review of
charges, etc.

tested copy of the petition upon him. The entry fee, costs, and all proceedings upon such petition shall be according to the rules regulating the trial of civil causes. The justice, after hearing, shall affirm or revoke the order of the mayor removing such commissioner, and there shall be no appeal therefrom. One member of each of said boards shall be appointed from each of the two leading political parties, and the third member may be also appointed from one of said parties.

SECTION 2. This act shall take effect upon its passage.

Approved May 13, 1896.

AN ACT TO REGULATE THE PRACTICE OF PHARMACY.

Chap. 397

Be it enacted, etc., as follows :

SECTION 1. The board of registration in pharmacy shall consist of five persons. The present members thereof shall continue to hold their offices during the terms for which they were appointed. The appointments to fill vacancies occurring from expiration of terms of office shall be for five years from the first day of October in each year. The appointments to said board shall be made by the governor with the advice and consent of the council, and only skilled pharmacists, resident in the Commonwealth, who have had ten consecutive years of practical experience in the compounding and dispensing of physicians' prescriptions shall be eligible, and not more than one member of said board shall be interested in the sale of drugs, medicines and chemicals and the compounding and dispensing of physicians' prescriptions in the same city or town. Any member of said board may be removed from office for cause by the governor with the advice and consent of the council.

Board of registration in pharmacy, appointment, term, etc.

Removals.

SECTION 2. The members of said board shall meet on the first Tuesday of October in each year at such time and place as they may determine, and shall immediately proceed to organize by electing a president and secretary, who shall be members of the board, and who shall hold their respective offices for the term of one year. The secretary shall give to the treasurer and receiver general of the Commonwealth a bond with sufficient sureties, to be approved by the governor and council, for the faithful discharge of the duties of his office. The said board shall hold three regular meetings in each year,

Organization.

Secretary to give bond.

Meetings.

one on the first Tuesday of January, one on the first Tuesday of May and one on the first Tuesday of October, and such additional meetings at such times and places as they shall determine.

Compensation,
expenses, etc.

SECTION 3. The compensation, incidental and travelling expenses of the board shall be paid from the treasury of the Commonwealth. The compensation of the members of the board shall be five dollars each for every day actually spent in the discharge of their duties and the amount actually paid by them for necessary travelling expenses in attending the meetings of the board, but in no case exceeding three cents per mile each way. The bills for such compensation and their incidental and travelling expenses shall be approved by the board and sent to the auditor of the Commonwealth, who shall certify to the governor and council the amounts due as in case of other bills and accounts approved by him under the provisions of law. So much of the receipts from examinations as may be necessary for the compensation and expenses of the board, as aforesaid, is hereby appropriated, in addition to any amount authorized by the legislature for the purposes of this act.

Records to be
kept.

SECTION 4. The board shall keep a record of the names of all persons examined and registered hereunder, and a record of all moneys received and disbursed by said board, a duplicate of which records shall always be open to inspection in the office of the secretary of the Commonwealth. Said board shall make to the governor on or before the first day of January in each year a report stating the condition of pharmacy in the state, with a full and complete record of all its official acts during the year, and the receipts and disbursements of the board.

Annual report.

REGISTRATION OF PHARMACISTS.

Examination,
registration,
etc.

SECTION 5. Any person desiring to do business as a pharmacist shall upon payment of a fee of five dollars be entitled to examination, and if found qualified shall be registered as a pharmacist, and shall receive a certificate signed by the president and secretary of said board. Any person may be re-examined at any regular meeting of the board, upon the payment of a fee of three dollars. All fees received by the board under this act shall be paid by

the secretary of the board into the treasury of the Commonwealth.

SECTION 6. Every person who has received a certificate of registration from the board shall conspicuously display the same in his place of business.

Certificate to be conspicuously displayed.

SECTION 7. Said board shall hear all applications by registered pharmacists for the granting of sixth class licenses, whenever such hearing is required by the applicant, and all complaints made to them against any person registered as a pharmacist, charging him with suffering or permitting the use of his name or his certificate of registration by others in the conduct of the business of pharmacy when he himself is not the owner and actively engaged in such business; engaging in, aiding or abetting the violation or, in his business as a pharmacist, violating any of the laws of the Commonwealth now under the supervision of the board of registration in pharmacy, and especially the laws relating to the sale of intoxicating liquor. Such complaint shall be under oath, shall set out the offence alleged, and shall be made within fifteen days of the date of the act complained of.

Applications for sixth class licenses, complaints, etc.

SECTION 8. Said board shall notify the person complained against of the charge made against him and of the time and place when and where the matter will be heard by them. He may then and there appear before the board with his witnesses and be heard by counsel. Any three of the members of the board shall be a quorum for such hearing. Either member of the board may administer oaths to the witnesses at such hearing, and any person so sworn who wilfully swears or affirms falsely respecting any matter upon which his testimony is required shall be deemed guilty of perjury. Said board shall have the power to send for persons and compel the attendance of witnesses at said hearings, by process duly served.

Persons complained against to be notified, hearings, etc.

SECTION 9. If the full board sitting at such hearing shall find that the person complained against is guilty of the acts charged against him said board may suspend his registration as a pharmacist and his certificate thereof, for such term as the board in their judgment, after due consideration of the facts, may deem for the best interest of the public, or may revoke it altogether, but the license or certificate of registration of a registered pharmacist shall not be suspended or revoked for a cause punishable

May suspend registration of certain pharmacists, etc.

by law until after conviction by a court of competent jurisdiction.

License for sale
of intoxicating
liquors, etc.

SECTION 10. No license for the sale of spirituous or intoxicating liquors, except of the sixth class, shall be granted to retail druggists or apothecaries. One or more such licenses shall be granted annually by the board of license commissioners of cities, the board of police of the city of Boston, or the selectmen of towns, to retail druggists or apothecaries, if it shall appear that the applicant is a fit person to receive such license, is not disqualified to receive the same under section sixteen of this act, and is a registered pharmacist actively engaged in business on his own account, and if he shall also present to the licensing board a certificate of fitness as provided in section eleven of this act. Retail druggists and apothecaries shall not be subject to the second clause of section nine of chapter one hundred of the Public Statutes when the sale is made, as hereinafter provided, upon the prescription of a physician.

Certificate may
be issued to
applicants for
licenses, etc.

SECTION 11. The state board of registration in pharmacy may issue to applicants for licenses of the sixth class to sell intoxicating liquor a certificate, which shall not be valid after the expiration of one year from its date, stating that in the judgment of said board he is a proper person to be entrusted with such license and that the public good will be promoted by the granting of said license. Any registered pharmacist against whom no complaints have been made to said board may be considered a proper person to receive such certificate. Such complaints shall be in writing, specifying the reason, if any, why a certificate should be withheld. For each certificate so granted by the board of registration in pharmacy said board shall be entitled to receive a fee not exceeding one dollar, to be paid by the applicant.

Licenses to
become void
under certain
conditions.

SECTION 12. Any license for the sale of intoxicating liquor, of the sixth class, shall become null and void, without any process or decree, whenever the registered pharmacist to whom it has been granted shall cease to conduct his business in person and on his own account, or upon the revocation of his registration as such pharmacist and of his certificate thereof, excepting cases where the registered pharmacist has died or become incapacitated, and his business is continued by his widow, executor or administrator, under a registered pharmacist.

SECTION 13. Sales of intoxicating liquor of any kind by retail druggists and apothecaries, for medicinal, mechanical or chemical purposes, shall be made only upon the certificate of the purchaser, which certificate shall state the use for which the same is wanted, and shall be immediately cancelled at the time of such sale in such manner as to show the date of cancellation.

How sales of intoxicating liquor shall be made.

SECTION 14. A book shall be kept by every retail druggist and apothecary in which he shall enter at the time of every such sale the date thereof, the name of the purchaser, who shall also sign his name in said book as part of said entry, the kind, quantity and price of said liquor, the purpose for which it was sold, and the residence by street and number, if there be such, of said purchaser. If such sale is also made upon the prescription of a physician the book shall also contain the name of the physician and state the use for which said liquor is prescribed and the quantity to be used for such purpose, and shall be cancelled in the manner before provided with reference to certificates. Said book shall be in form substantially as follows :—

Book to be kept in which every sale shall be entered, etc.

Form of book.

Date.	Name of Purchaser.	Residence.	Kind and Quantity.	Purpose of Use.	Price.	Name of Physician.	Signature of Purchaser.
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SECTION 15. The book, certificates and prescriptions before provided for or referred to, shall at all times be open in the city of Boston to the inspection of the board of police, and in all the cities and towns of the Commonwealth to the inspection of the mayor and aldermen, board of license commissioners, selectmen, overseers of the poor, sheriff, constables, police officers, and justices of the peace.

Books, certificates, etc., to be open to inspection.

SECTION 16. Any person making or issuing a false or fraudulent certificate or prescription referred to in sections thirteen or fourteen of this act may be prosecuted therefor, and upon conviction may be fined ten dollars. Any retail druggist or apothecary violating any of the provisions of sections thirteen, fourteen and fifteen of this act shall, upon conviction thereof, be punished by fine of not less than fifty nor more than five hundred dollars, or imprisonment for not less than one month nor more than six months, or by both such fine and imprisonment.

Penalty for making false certificate or prescription, etc.

License to be
forfeited, etc.

He shall in addition to said penalties forfeit his license and be disqualified to hold a license for the period of one year after his conviction, and if the licensee is the owner of the premises no license shall be exercised on the premises described in the forfeited license during the residue of the term thereof.

Penalty for sale
of intoxicating
liquors on
licenses unlaw-
fully procured.

SECTION 17. Any person not being a registered pharmacist who shall procure a sixth class license for the sale of intoxicating liquors, in the name of a registered pharmacist who is dead, or in the name of a registered pharmacist by borrowing, hiring or purchasing the use of his certificate, and who, being himself the owner or manager of the place, shall by himself or his servants sell intoxicating liquor, shall upon conviction thereof be fined not less than fifty dollars nor more than five hundred dollars, and imprisoned in the house of correction for a term of not less than one month nor more than six months, and the provisions of section eight of chapter two hundred and fifteen of the Public Statutes shall not apply to such sentence.

Penalty for
sale, etc., of
drugs, etc., by
persons not
registered.

SECTION 18. Whoever not being registered as afore-said shall, by himself or his agent or servant, unless such agent or servant is so registered, retail, compound for sale or dispense for medicinal purposes, or shall keep or expose for sale, drugs, medicines, chemicals or poisons, except as provided in section twenty-three of this act, shall be punished by a fine not exceeding fifty dollars. But nothing in this act shall be construed to prohibit the employment of apprentices or assistants under the personal supervision of a registered pharmacist.

Employment of
apprentices, etc.

Penalty for
fraudulent
adulteration
of drugs, etc.

SECTION 19. Whoever fraudulently adulterates, for the purpose of sale, any drug or medicine, or sells any fraudulently adulterated drug or medicine, knowing the same to be adulterated, shall be punished by imprisonment in a jail not exceeding one year, or by fine not exceeding four hundred dollars; and such adulterated drugs and medicines shall be forfeited, and destroyed under the direction of the court.

Persons selling
certain poisons
to keep record,
etc.

SECTION 20. Whoever sells arsenic (arsenious acid), atropia or any of its salts, chloral hydrate, chloroform, cotton root and its fluid extract, corrosive sublimate, cyanide of potassium, Donovan's solution, ergot and its fluid extract, Fowler's solution, laudanum, McMunn's elixir, morphia or any of its salts, oil of pennyroyal, oil

of savin, oil of tansy, opium, Paris green, Parsons' vermin exterminator, phosphorus, prussic acid, "rough on rats", strychnia or any of its salts, tartar emetic, tincture of aconite, tincture of belladonna, tincture of digitalis, tincture of nux vomica, tincture of veratrum viride, without the written prescription of a physician, shall keep a record of such sale, the name and amount of the article sold, and the name and residence of the person or persons to whom it was delivered, which record shall be made before the article is delivered, and shall at all times be open to inspection by the officers of the district police and by the police authorities and officers of cities and towns. Whoever neglects to keep or refuses to show to said officers such record shall be punished by fine not exceeding fifty dollars. Whoever sells any of the poisonous articles named in this section without the written prescription of a physician, shall affix to the bottle, box or wrapper containing the article sold a label of red paper upon which shall be printed in large black letters the word, Poison, and also the word, Antidote, and the name and place of business of the vendor. The name of an antidote, if there be any, for the poison sold, shall also be upon the label. Every neglect to affix such label to such poisonous article before the delivery thereof to the purchaser shall be punished by fine not exceeding fifty dollars. Whoever purchases poisons as aforesaid and gives a false or fictitious name to the vendor shall be punished by fine not exceeding fifty dollars, provided that nothing in this act shall be construed to apply to wholesale dealers and to manufacturing chemists in their sales to the retail trade.

Persons selling certain poisons to keep record, etc.

Penalty.

"Poison" and "Antidote" to be printed on label.

Penalties.

Not to apply to wholesale dealers, etc.

GENERAL PROVISIONS.

SECTION 21. It shall be the duty of the board of registration in pharmacy to investigate all complaints of disregard, non-compliance with, or violation of, the provisions of this act, and to bring all such cases to the notice of the proper prosecuting officers, and especially to prosecute all persons violating section seventeen of this act.

Investigation of complaints, etc.

SECTION 22. In order properly to carry out the provisions of this act the board of registration in pharmacy may expend annually a sum not exceeding two thousand dollars, and an itemized statement of all expenses in-

Annual expenditure, etc.

curred shall be filed with the auditor of the Commonwealth, who, after they have been properly approved, shall allow them in the same manner as other claims against the Commonwealth.

Not to apply to physicians putting up their own prescriptions, etc.

SECTION 23. This act shall not apply to physicians putting up their own prescriptions or dispensing medicines to their patients; nor to the sale of drugs, medicines, chemicals or poisons at wholesale only; nor to the manufacture or sale of patent and proprietary medicines; nor to the sale of non-poisonous domestic remedies usually sold by grocers and others; nor shall any member of a copartnership, other than a registered pharmacist, be liable to the penalties hereof: *provided*, that such non-registered member shall not retail, compound for sale or dispense for medicinal purposes, drugs, medicines, chemicals or poisons, except under the personal supervision of a registered pharmacist.

Proviso.

Repeal.

SECTION 24. Sections five and six of chapter two hundred and eight of the Public Statutes, chapter three hundred and thirteen of the acts of the year eighteen hundred and eighty-five, chapters two hundred and sixty-seven and four hundred and thirty-one of the acts of the year eighteen hundred and eighty-seven, chapter two hundred and nine of the acts of the year eighteen hundred and eighty-eight, chapters two hundred and twenty-seven and four hundred and seventy-two of the acts of the year eighteen hundred and ninety-three, and chapter four hundred and thirty-five of the acts of the year eighteen hundred and ninety-four, are hereby repealed.

Approved May 15, 1896.

Chap. 398

AN ACT RELATIVE TO THE INSPECTION AND STANDARD OF MILK.

Be it enacted, etc., as follows:

P. S. 57, § 7, etc., amended.

SECTION 1. Section seven of chapter fifty-seven of the Public Statutes, as amended by section seven of chapter three hundred and fifty-two of the acts of the year eighteen hundred and eighty-five, is hereby amended by striking out all of said section, and inserting in place thereof the following:— *Section 7.* No person, by himself or his agents, shall sell, exchange or deliver, or have in his custody or possession, with intent to sell, exchange or deliver, milk from which the cream or any part thereof has been removed, unless in a conspicuous place upon

Vessels containing milk from which cream has been removed to be marked "Skimmed Milk."

every vessel, can or package of more than two quarts capacity from or in which such milk is sold, exchanged or delivered, the words "Skimmed Milk", are distinctly marked in plain uncondensed gothic letters, not less than one inch in length, said marking to be in dark letters on a light ground, and to be on the vessel, can or package itself and not upon a detachable label or tag; and unless in a conspicuous place upon every vessel, can or package of two quarts or less capacity from or in which such milk is sold, exchanged or delivered, the words "Skimmed Milk", are distinctly marked in plain uncondensed gothic letters, said marking to be in dark letters on a light ground, and to be either on the vessel, can or package itself or upon a detachable label or tag. Whoever violates the provisions of this section shall be punished by the penalties provided in section five. Penalty.

SECTION 2. Section nine of chapter fifty-seven of the Public Statutes, as amended by section six of chapter three hundred and fifty-two of the acts of the year eighteen hundred and eighty-five, and by section two of chapter three hundred and eighteen of the acts of the year eighteen hundred and eighty-six, is hereby amended by striking out all of said section, and inserting in place thereof the following:— *Section 9.* In all prosecutions under this chapter, if the milk is shown upon analysis to contain less than thirteen per cent. of milk solids, or to contain less than nine and three tenths per cent. of milk solids exclusive of fat, or to contain less than three and seven tenths per cent. of fat, it shall be deemed for the purposes of this act to be not of good standard quality, except during the months of April, May, June, July and August, when milk containing less than twelve per cent. of milk solids, or less than nine per cent. of milk solids exclusive of fat, or less than three per cent. of fat, shall be deemed to be not of good standard quality. P. S. 57, § 9,
etc., amended.

SECTION 3. Section four of chapter three hundred and eighteen of the acts of the year eighteen hundred and eighty-six is hereby amended by striking out all of said section, and inserting in place thereof the following:— *Section 4.* Whoever makes, causes to be made, uses or has in his possession any imitation or counterfeit of any seal used by any inspector of milk, collector of samples or other official engaged in the inspection of milk, and whoever changes or in any way tampers with any sample Certain milk to
be deemed not
of good stand-
ard quality.

1886, 318, § 4,
amended.

Penalty for
using a counter-
feit seal, etc.

taken or sealed as provided in section two, shall be punished by a fine of not less than one hundred dollars and by imprisonment in the house of correction not less than three nor more than six months.

Approved May 15, 1896.

Chap. 399 AN ACT TO INCORPORATE THE CHESTNUT STREET MEETING-HOUSE AND CEMETERY ASSOCIATION.

Be it enacted, etc., as follows:

Chestnut Street Meeting-House and Cemetery Association incorporated.

SECTION 1. John Darling, William A. Dodge, William O. Burden, Carlton A. Staples, Austin B. Fletcher, James Engley, Cornelius R. Day, Hiram T. Daniels, Horace A. Benson, Willard Wilson and Frederick Thayer, their associates and successors, are hereby made a corporation by the name of the Chestnut Street Meeting-House and Cemetery Association, for the purpose of caring for two pieces of real estate in the town of Blackstone, namely: — The unenclosed cemetery, containing about half an acre, on Chestnut street near the village of Millville in said town, set apart for burial purposes by deed of gift in the year seventeen hundred and sixty-seven, and the tract of land two miles further north on said Chestnut street on which stands the meeting-house built in the year seventeen hundred and sixty-nine, known as the Chestnut Hill Meeting-House, together with the burying ground, containing about an acre, attached thereto.

First meeting, etc.

SECTION 2. The first meeting of said corporation shall be held on the second Monday of June in the year eighteen hundred and ninety-six, at two o'clock in the afternoon, at the Chestnut Hill Meeting-House. At such meeting the incorporators may organize by the choice of a temporary chairman and clerk, may adopt by-laws and may proceed at such meeting, or at a subsequent meeting notified in accordance with the by-laws, to the permanent organization of the corporation.

Corporation may exercise certain powers.

SECTION 3. Said corporation may exercise the powers of cemetery corporations organized under general law, over the two burying grounds herein mentioned, and the powers of religious corporations organized under general law, over said meeting-house and its appurtenances, subject to the rights of any persons claiming an estate or interest therein under the original proprietors.

SECTION 4. Said corporation may take, hold and manage real and personal estate given, granted, devised or bequeathed to said corporation for the care or improvement of said burying grounds or meeting-house and its appurtenances.

May take certain real and personal estate, etc.

SECTION 5. This act shall take effect upon its passage.

Approved May 15, 1896.

AN ACT TO CONFIRM THE PROCEEDINGS OF A CERTAIN TOWN MEETING OF THE TOWN OF HUNTINGTON. *Chap.400*

Be it enacted, etc., as follows:

SECTION 1. The proceedings of the annual town meeting of the town of Huntington, held on the twentieth day of April in the year eighteen hundred and ninety-six, shall not be invalid by reason of the fact that said meeting was held on a legal holiday.

Proceedings of annual town meeting of Huntington confirmed.

SECTION 2. This act shall take effect upon its passage.

Approved May 15, 1896.

AN ACT RELATIVE TO TRIAL LISTS AND TO NOTIFYING ATTORNEYS OF TRIALS IN THE SUPERIOR COURT. *Chap.401*

Be it enacted, etc., as follows:

SECTION 1. The superior court shall have full power and authority from time to time to make and promulgate such rules for regulating the printing, publishing and distributing of trial lists, and for notifying attorneys of trials in the superior court for civil business, as the public convenience in the several counties shall demand.

Printing and distributing of trial lists, etc.

SECTION 2. Chapter four hundred and fifty-nine of the acts of the year eighteen hundred and eighty-nine is hereby repealed.

Repeal.

SECTION 3. This act shall take effect on the first day of September in the year eighteen hundred and ninety-six.

To take effect September 1, 1896.

Approved May 15, 1896.

AN ACT RELATIVE TO BONDS GIVEN BY AGENTS OF FOREIGN INSURANCE COMPANIES. *Chap.402*

Be it enacted, etc., as follows:

SECTION 1. Section ninety-two of chapter five hundred and twenty-two of the acts of the year eighteen hundred and ninety-four is hereby amended by striking

1894, 522, § 92, amended.

Agents of foreign insurance companies to exhibit on signs, cards, etc., the name of the state or country of the company he represents.

out in the thirty-sixth and thirty-seventh lines, the words "of life or accident insurance companies", so as to read as follows:— *Section 92.* Every person acting for a foreign insurance company shall exhibit in conspicuous letters, on the sign designating his place of business, the name of the state or country under whose authority the company he represents has been incorporated or formed. And said company and agent shall also have printed in large type the name of such state or country and the kind of office, whether chartered or formed as a mutual or stock company, upon all policies issued to citizens of this Commonwealth, on all cards, placards and pamphlets, and in all advertisements published, issued or circulated in this Commonwealth by them or him, relating to the business of such company.

Agents to file bonds, etc.

Every agent of a foreign insurance company, before transacting any business in this Commonwealth, shall file with the treasurer of the Commonwealth a bond with two sureties approved by the insurance commissioner in the penal sum of five hundred dollars, conditioned that such agent shall, on or before the fifteenth day of November in each year, make return to the tax commissioner of all business transacted by him as such agent during the year ending with the thirty-first day of October then next preceding, in such form as the tax commissioner may prescribe; and also that all the books, papers and accounts of his agency shall be open to the inspection of the tax commissioner at any time whenever he may deem it proper to verify the statement of transactions aforesaid. If any such agent shall refuse to submit the books, papers and accounts of his agency to such inspection, he shall be liable to a penalty of not less than fifty nor more than five hundred dollars, which may be recovered in a suit upon said bond, and the tax commissioner shall report such refusal to the insurance commissioner, who shall thereupon cancel his certificate of authority to such agent, and the certificate so cancelled shall not be renewed within one year thereafter; but only such agents are required to give bond as are not accountable to any other agent in the Commonwealth for premiums received.

Certificate of authority to be cancelled.

SECTION 2. This act shall take effect upon its passage.

Approved May 15, 1896.

Books, papers, etc., to be open to inspection of tax commissioner; penalty.

AN ACT RELATIVE TO THE FILLING OF CERTAIN LANDS WHICH MAY
BE TAKEN FOR THE PROTECTION OF THE PUBLIC HEALTH IN THE
CITY OF CAMBRIDGE. Chap.403

Be it enacted, etc., as follows :

SECTION 1. Section one of chapter one hundred and ninety-five of the acts of the year eighteen hundred and ninety-six is hereby amended by striking out the word “not”, in the fourth line of said section, so as to read as follows:—*Section 1.* Whenever the board of health of the city of Cambridge shall adjudge that the public health requires, and shall order that any lands in said city, other than clay lands lying west of Walden street and within the present limits of wards one and five, and lands immediately abutting on Charles or Miller’s rivers, be filled to the grade specified in such order, which grade shall not exceed thirteen feet above mean low water, the owners of said lands shall forthwith fill the same in accordance with said order and in a manner and with material satisfactory to said board.

1896, 196, § 1,
amended.

Protection of
public health
in Cambridge.

SECTION 2. This act shall take effect upon its passage.

Approved May 15, 1896.

AN ACT RELATIVE TO LIENS ON VESSELS.

Chap.404

Be it enacted, etc., as follows :

SECTION 1. Section fifteen of chapter one hundred and ninety-two of the Public Statutes is hereby amended by striking out in the second line, the word “four”, and inserting in place thereof the word:—thirty,—so as to read as follows:—*Section 15.* Such lien shall be dissolved unless the person claiming the same files, within thirty days from the time when the vessel departs from the port at which she was when the debt was contracted, in the office of the clerk of the city or town within which the vessel was at such time, a statement, subscribed and sworn to by him or by some person in his behalf, giving a just and true account of the demand claimed to be due to him, with all just credits, and also the name of the person with whom the contract was made, the name of the owner of the vessel, if known, and the name of the vessel, or a description thereof sufficient for identification; which statement shall be recorded by such clerk in a book kept by

P. S. 192, § 15,
amended.

Liens on vessels
shall be dis-
solved unless
sworn statement
is filed within
thirty days of
their departure.

him for that purpose, and for such recording the clerk shall receive the same fees as for recording mortgages of equal length.

SECTION 2. This act shall take effect upon its passage.

Approved May 15, 1896.

Chap. 405 AN ACT TO AUTHORIZE THE TOWN OF LEOMINSTER TO TAKE LAND FOR THE ERECTION OF A PUBLIC HIGH SCHOOL BUILDING.

Be it enacted, etc., as follows:

Town of Leominster may take certain real estate for erection of high school building.

SECTION 1. The town of Leominster, acting by its board of selectmen, is hereby authorized to take by purchase or otherwise, in fee, at any time within the period of one year from the passage of this act, the whole or any part of certain real estate in said town bounded as follows: — Beginning at the northerly end of Church street, thence running easterly by land of Mrs. J. W. H. Lawrence, three hundred feet more or less, thence northerly at an angle of ninety degrees, on land of Mrs. Angelina Phelps to Walnut street, so-called, thence running westerly on said Walnut street, three hundred feet more or less, and thence southerly in a direct line to the place of beginning, containing two and one half acres more or less; said real estate so taken to be used for the erection thereon of a public high school building.

Description of land to be recorded, etc.

SECTION 2. The order for such taking shall be approved by vote of the town, and within thirty days from the approval of any such order the town clerk shall file and cause to be recorded in the northern district registry of deeds for the county of Worcester a description of the land so taken, sufficiently accurate for identification, with a statement of the purpose for which such lands were taken under this act.

Damages.

SECTION 3. The town of Leominster shall pay all damages sustained by any person by the taking of lands or other property hereunder. Any person sustaining damages as aforesaid, who fails to agree with the town as to the amount of damages sustained, may have his damages assessed and determined in the manner provided by law where land is taken for the laying out of highways, on application at any time within the period of one year from the taking of such land or property.

Town may offer a specified sum, etc.

SECTION 4. In every case of a petition for the assessment of damages, or for a jury hereunder, the said town may offer in court and consent in writing that a sum

therein specified may be awarded as damages to the complainant; and if the complainant shall not accept the same within ten days after he has received notice of such offer, and shall not finally recover a greater sum than the one offered, not including interest on the sum recovered in damages from the date of the offer, the said town shall be entitled to recover its costs after said date, and the complainant, if he recovers damages, shall be allowed costs only to the date of the offer, unless the damages so recovered shall be in excess of the amount offered by said town as aforesaid.

SECTION 5. This act shall take effect upon its passage.

Approved May 15, 1896.

AN ACT TO INCORPORATE THE PROSPECT UNION ASSOCIATION.

Chap. 406

Be it enacted, etc., as follows:

SECTION 1. Edmund Reardon, James J. Myers, John H. Corcoran, Theodore H. Raymond, Francis G. Peabody, Robert E. Ely, Charles W. Eliot, Charles Eliot Norton, John Graham Brooks, Joseph G. Thorp, Francis C. Foster, George Hodges, John Flatley, David N. Beach, William E. Russell, James A. Woolson, John Hopewell, Jr., Thomas Wentworth Higginson, Henry C. Warren, Charles J. Wood, Frank M. Foster, William H. Nagle, Charles A. Sievwright, Walter Calley, John F. Harrington, their associates and successors, are hereby made a corporation by the name of the Prospect Union Association, for the purpose of furnishing educational and social opportunities to working men; and for that purpose shall have all the powers and privileges and be subject to all the duties and liabilities set forth in all general laws which now are or may hereafter be in force relating to such corporations, except as hereinafter otherwise provided.

Prospect Union Association incorporated.

SECTION 2. Said corporation may hold real and personal estate to an amount not exceeding two hundred thousand dollars, and may mortgage and lease its real estate. Said corporation may make all proper by-laws and shall have power to do all acts properly incidental to the fulfilment of the purposes of its incorporation.

May hold real and personal estate, etc.

SECTION 3. This act shall take effect upon its passage.

Approved May 16, 1896.

Chap.407 AN ACT RELATIVE TO STATE SCHOLARSHIPS IN THE WORCESTER POLYTECHNIC INSTITUTE.

Be it enacted, etc., as follows :

Commonwealth
to pay to the
Worcester
Polytechnic
Institute a
certain sum
annually.

SECTION 1. There shall be paid annually from the treasury of the Commonwealth to the treasurer of the Worcester Polytechnic Institute, from and after the first day of September in the year eighteen hundred and ninety-six, the sum of three thousand dollars.

To maintain
forty free
scholarships,
etc.

SECTION 2. In consideration of such payment and of the grant made by chapter fifty-seven of the resolves of the year eighteen hundred and sixty-nine the Worcester Polytechnic Institute shall maintain forty free scholarships, of which each senatorial district in the Commonwealth shall be entitled to one, if a candidate is presented who is otherwise unable to bear the expense of tuition. In case no such candidate appears from a senatorial district, then a candidate may be selected from the state at large to fill such vacancy, who may continue to hold the scholarship annually until a candidate is presented from the senatorial district unrepresented.

Awarding of
scholarships.

SECTION 3. The scholarships shall be awarded to such pupils of the public schools of Massachusetts as shall be found upon examination to possess the qualifications fixed for the admission of students to said institute, and who shall be selected by the board of education; preference in the award being given only to qualified candidates otherwise unable to bear the expense of tuition.

Repeal.

SECTION 4. Chapter seventy-two and so much of chapter fifty-seven of the resolves of the year eighteen hundred and sixty-nine as relates to state scholarships are hereby repealed.

Approved May 16, 1896.

Chap.408 AN ACT RELATIVE TO THE SALARIES OF PUBLIC SCHOOL TEACHERS IN SMALL TOWNS.

Be it enacted, etc., as follows :

Payment of
salaries of
teachers in
small towns.

With the approval of the state board of education there may be paid from the income of the school fund, to any town having a valuation of less than two hundred and fifty thousand dollars, a sum not exceeding two dollars per week for the actual time of service of each teacher, approved by the school committee of said town after special examination as to exceptional ability, employed in the

public schools of said town, which sum shall be added to the salary of such teacher: *provided*, that the amount paid by the town toward the salary of such teacher shall not be less than the average salary paid by said town to teachers in the same grade of school for the three years next preceding, and that by said addition no teacher shall receive more than ten dollars per week.

Proviso.

Approved May 16, 1896.

AN ACT IN RELATION TO THE INCREASE OF THE CAPITAL STOCK
OF STREET RAILWAY COMPANIES. Chap. 409

Be it enacted, etc., as follows:

SECTION 1. Section fifteen of chapter one hundred and thirteen of the Public Statutes, as amended by chapter three hundred and sixty-six of the acts of the year eighteen hundred and eighty-seven, is hereby amended by striking out in the nineteenth, twentieth and twenty-first lines, the words "but no increase shall be allowed beyond the value of the property of the company, including the cash to be paid in on such increase", and inserting in place thereof the following words:—If it appears that the assets or capital stock of a company are impaired the board may prescribe such conditions and requirements as it may deem proper. The amount of impairment and the conditions and requirements imposed shall be stated in the annual report of the board,—and by adding at the end of the section the following words:—and may in like manner be compelled to comply with any condition or requirement prescribed as aforesaid,—so as to read as follows:—

P. S. 113, § 15,
etc., amended.

Section 15. The directors of any street railway company, on being thereto duly authorized by its stockholders, may from time to time petition the board for leave to increase its capital stock beyond the amount fixed and limited by its articles of association or by any act of the general court concerning the same, for the purpose of building and equipping a branch or extension of its road upon a location duly granted or extended as provided by law, or for other necessary and lawful purposes set forth in the petition; and the board, after an examination of the assets and liabilities of the company and a hearing on the petition, if it appears that the proposed purpose is lawful and consistent with the public interest, and that an increase of capital is necessary in order to enable the company to carry out the same in good faith, may by an order in writ-

Increase of
capital stock of
street railway
companies may
be allowed by
commissioners
in certain cases,
etc.

Certificate to be filed with secretary of the Commonwealth, etc.

ing allow such necessary increase, specifying the amount thereof and the purposes for which the same is allowed. If it appears that the assets or capital stock of a company are impaired the board may prescribe such conditions and requirements as it may deem proper. The amount of impairment and the conditions and requirements imposed shall be stated in the annual report of the board. A certificate showing the amount and purposes of the increase so allowed shall forthwith be filed in the office of the secretary of the Commonwealth. The company shall not apply such increase or the proceeds thereof, to any purpose not specified in the order of the board, and may be enjoined from so doing by any justice of the supreme judicial or superior court upon application of the board or of any interested party; and may in like manner be compelled to comply with any condition or requirement prescribed as aforesaid.

SECTION 2. This act shall take effect upon its passage.

Approved May 16, 1896.

Chap.410 AN ACT PROVIDING A SALARY FOR THE MEMBERS OF THE COMMON COUNCIL OF THE CITY OF BOSTON.

Be it enacted, etc., as follows :

Salary of members of the common council of Boston.

SECTION 1. The members of the common council of the city of Boston shall each receive a salary of three hundred dollars per annum, and no money shall be paid from the treasury of said city for or on account of refreshments, carriage hire or other personal expenses incurred directly or indirectly by or in behalf of any member of the common council or any committee thereof.

Repeal.

SECTION 2. All acts and parts of acts inconsistent with this act are hereby repealed.

When to take effect.

SECTION 3. This act shall take effect from and after the first Monday of January next succeeding its acceptance by the voters of the city of Boston, and its approval by the mayor.

Approved May 16, 1896.

Chap.411 AN ACT TO AUTHORIZE THE SALE OF CERTAIN LANDS TAKEN FOR PUBLIC PARK PURPOSES IN THE CITY OF BOSTON.

Be it enacted, etc., as follows :

Park commissioners of Boston may sell certain lands, etc.

SECTION 1. The board of park commissioners of the city of Boston is hereby authorized, with the approval of the mayor of said city, to sell the parcels of land situated on the northeasterly side of Seaver street, adjoining Frank-

lin Park, in that part of said city known as Roxbury, and to apply the proceeds of the sales to the payment for other lands taken by said city for park purposes.

SECTION 2. This act shall take effect upon its passage.

Approved May 16, 1896.

AN ACT RELATIVE TO THE SITTINGS OF THE SUPERIOR COURT FOR THE COUNTY OF ESSEX. Chap. 412

Be it enacted, etc., as follows:

SECTION 1. The sittings of the superior court for the county of Essex for the transaction of civil business shall be held at Salem on the first Mondays of June and December, at Lawrence on the first Monday of March, and at Newburyport on the first Monday of October. Questions of law arising at said October sitting may, if ordered by the presiding justice, unless otherwise agreed to by counsel for both parties interested, be entered and heard at the law term of the supreme judicial court at Boston.

Sittings of superior court for Essex county for transaction of civil business.

SECTION 2. The terms of said court for criminal business shall be held at Salem on the second Monday of January, at Newburyport on the second Monday of May, and at Lawrence on the second Monday of September.

For criminal business.

SECTION 3. So much of chapter one hundred and fifty-two of the Public Statutes and of acts amendatory thereof and in addition thereto as is inconsistent herewith is hereby repealed.

Repeal.

SECTION 4. This act shall take effect on the first day of June in the year eighteen hundred and ninety-six.

To take effect June 1, 1896.

Approved May 16, 1896.

AN ACT PROVIDING FOR THE PERFORMANCE OF CLERICAL DUTIES IN THE SUPERIOR COURT SITTING AT BOSTON FOR THE HEARING OF CASES FOR COUNTIES OTHER THAN SUFFOLK. Chap. 413

Be it enacted, etc., as follows:

SECTION 1. The clerk of the superior court for civil business in the county of Suffolk, or such assistant of said clerk as the justices of said court or a majority of them may from time to time designate for such duty, shall act as clerk of said court sitting in Boston for the hearing of cases from any county other than Suffolk, and when such assistant clerk is so designated and acting his attestation as assistant clerk shall be sufficient without further designation.

Clerical duties in certain sittings of the superior court.

SECTION 2. This act shall take effect upon its passage.

Approved May 16, 1896.

Chap. 414 AN ACT TO PROVIDE FOR THE ADDITION OF A PORTION OF THE TOWN OF WAKEFIELD TO THE METROPOLITAN SEWERAGE SYSTEM.

Be it enacted, etc., as follows:

Certain territory in Wakefield added to the north metropolitan sewerage district.

SECTION 1. The territory comprising the villages of Greenwood and Boyntonville in the town of Wakefield is hereby added to the north metropolitan sewerage district created by chapter four hundred and thirty-nine of the acts of the year eighteen hundred and eighty-nine, entitled "An Act to provide for the building, maintenance and operation of a system of sewage disposal for the Mystic and Charles river valleys". In becoming a part of the metropolitan system said addition shall be subject to the provisions and conform with the requirements of the aforesaid act and amendments thereto, except as herein provided, and the proportionate liability incurred by said addition shall be assumed by the town of Wakefield. Any authority granted to other municipalities by said act or by amendments thereto is hereby also vested in said town of Wakefield, but limited in application to the territory comprising said addition.

Metropolitan sewerage commissioners to provide an outlet for sewage, take present sewer constructed by Melrose, etc.

SECTION 2 The metropolitan sewerage commissioners shall provide an outlet at the Wakefield town line in Greenwood street for the sewage of said addition, and, acting on behalf of the Commonwealth, shall take by purchase or otherwise of the town of Melrose the present sewer constructed by said town through Wyoming avenue, Berwick, Grove, Myrtle, Essex and Tremont streets to Lake avenue, in said Melrose, and shall pay the cost of the construction of the same; and the same shall become and is hereby made a part of the main trunk line of sewers belonging to the metropolitan system; and the metropolitan sewerage commissioners shall at once extend the said main sewer line to the Wakefield town line by constructing a main sewer through Tremont, Melrose, Belmont, Franklin and Greenwood streets in said Melrose; and the said town of Melrose shall have the right to maintain and make house connections with the said main sewers and connect lateral sewers therewith in the same manner as with the present sewers of the town, under the direction of the metropolitan sewerage commissioners. In providing said outlet and in receiving sewage from said addition and said town of Melrose, and in any action in relation thereto, and for the purpose of taking, constructing and

To exercise certain authority, etc.

maintaining this additional main line of sewer, the said board of sewerage commissioners, acting on behalf of the Commonwealth, shall have and exercise all the authority conferred upon them by chapter four hundred and thirty-nine of the acts of the year eighteen hundred and eighty-nine and by amendments thereto, regarding the original system or anything relating thereto ; and all the provisions of said chapter are hereby made applicable to this additional taking and construction, except as herein otherwise provided.

SECTION 3. To meet the expenses incurred under the provisions of this act the treasurer and receiver general shall, with the approval of the governor and council, issue scrip or certificates of debt, in the name and behalf of the Commonwealth and under its seal, to an amount not exceeding thirty thousand dollars, for a term not exceeding thirty-four years. Said scrip or certificates of debt shall be issued as registered bonds or with interest coupons attached, and shall bear interest at a rate not exceeding four per cent. per annum, payable semi-annually on the first days of March and September in each year. Said interest and scrip or certificates shall be payable, and when due shall be paid, in gold coin or its equivalent. Said scrip or certificates of debt shall be designated on their face, Metropolitan Sewerage Loan, shall be countersigned by the governor and shall be deemed a pledge of the faith and credit of the Commonwealth, redeemable at the time specified therein, in gold coin or its equivalent, and shall be sold and disposed of at public auction or in such other mode and at such times and prices and in such amounts and at such rate of interest, not exceeding four per cent. per annum, as the treasurer and receiver general with the approval of the governor and council shall deem for the best interests of the Commonwealth. Any scrip or certificates of debt issued under the provisions of this act shall be considered as an addition to and shall become a part of the loan authorized by chapter four hundred and thirty-nine of the acts of the year eighteen hundred and eighty-nine, as amended by chapter three hundred and seven of the acts of the year eighteen hundred and ninety-four, and by chapter two hundred and ninety-four of the acts of the year eighteen hundred and ninety-five ; and the sinking fund established under the provisions of said chapters shall be a sinking fund for the extinguishment

Metropolitan
Sewerage Loan.

Sinking fund,
etc.

of the debt authorized by this act, said funds to be increased in the following manner:—The treasurer and receiver general shall from year to year, beginning with the year eighteen hundred and ninety-six, apportion to said sinking fund an amount sufficient with its accumulations to extinguish the debt at maturity; and in making the assessment for the increase of said sinking fund upon the several cities and towns liable thereto, one thirty second part of the whole amount shall be assessed in each of the first four years, beginning with the year eighteen hundred and ninety-six; one sixtieth part in each of the next ten years, beginning with the year nineteen hundred; one thirtieth part in each of the next ten years, beginning with the year nineteen hundred and ten; and the remainder shall be equally divided in the next ten years, beginning with the year nineteen hundred and twenty. Any premium realized from the sale of said scrip or certificates of debt shall be applied to the payment of the interest on said loan as it accrues.

Wakefield to be included in determining proportion to be paid by each city and town.

SECTION 4. The commissioners heretofore appointed by the supreme judicial court, and now sitting, under the provisions of section fourteen of chapter four hundred and thirty-nine of the acts of the year eighteen hundred and eighty-nine for the purposes specified in said section, and any other commissioners hereafter appointed for said purposes, shall include the town of Wakefield among the cities and towns whose proportions are to be determined as provided in said section, and the interest and sinking fund requirements of the moneys expended in acquiring the sewer already constructed and in constructing the portion of the sewerage system as provided for in this act, and the cost of maintenance and operation thereof, shall be deemed a part of the interest, sinking fund requirements and costs specified in section fifteen of said chapter four hundred and thirty-nine, and shall be paid as provided for in said section.

SECTION 5. This act shall take effect upon its passage.

Approved May 16, 1896.

Chap. 415

AN ACT TO AMEND THE CHARTER OF THE CITY OF LOWELL.

Be it enacted, etc., as follows:

Certain executive powers to be exercised by mayor.

SECTION 1. All executive powers which are now by law vested in the city council of the city of Lowell, or either branch thereof, shall hereafter be vested in and ex-

exercised by the mayor of said city, except as hereinafter otherwise provided.

SECTION 2. The mayor may suspend or remove any executive or administrative officer, except as hereinafter provided, for such cause as he shall deem sufficient, and shall set forth in the order of suspension or removal his reasons therefor, provided that no removal shall be made upon partisan grounds. The order of suspension or removal shall not take effect until it is approved by the city council voting by yeas and nays. The city council may by a two thirds vote in each branch, voting by yeas and nays, remove any of said officers without the consent of the mayor: *provided, however*, that nothing contained in this section shall apply to any of the following departments, namely: — The school committee, the police commission, the water board, the overseers of the poor, or the trustees of the public library.

May suspend or remove certain officers, etc.

Proviso.

SECTION 3. There shall be a department of supplies, and all material and supplies for the city shall be purchased by the chief or head of such department, subject to the approval of the mayor. So far as is practicable purchases shall be after public advertisement and under contract approved by the mayor. All bills for material and supplies shall show the date of purchase, date of delivery, the unit of price, the quality and quantity of articles purchased and received, the number and date of the order for purchase, and if the purchase is under contract, the number and date of the contract, and shall be entered in full in an invoice book, which shall always be open to public inspection. The chief of this department shall be elected by the qualified voters of the city voting at the annual municipal election, and shall hold his office for the next municipal year thereafter, subject to the provisions of section two of this act.

Department of supplies.

SECTION 4. The mayor shall cause to be kept a record of all his official acts, and to aid him in his official duties may appoint one or more clerks.

Record of official acts of mayor to be kept.

SECTION 5. The heads of the several departments and offices shall have the power to appoint and employ and to discharge all subordinate officers and employees in their respective departments; and they shall keep a record, subject to inspection, of all so appointed and employed and of all discharged, and in all cases of discharge the grounds therefor, provided however that no removals shall be made upon partisan grounds.

Appointment of subordinate officers, etc.

Heads of departments to execute certain contracts, etc.

Proviso.

Not to take part in the employment of labor, etc.

Appropriation, expenditure, etc.

Proviso.

SECTION 6. The heads of the several departments and offices shall have the general charge and management of all matters pertaining to their respective departments, and shall make and execute all contracts necessary therefor, except for the purchase of material and supplies; but every contract made as aforesaid in which the amount involved exceeds three hundred dollars shall be approved by the mayor before going into effect: *provided*, that nothing in this section shall be construed to prevent the city council by ordinance from transferring any of the duties imposed upon an appointed head of a department by this act or by ordinance, excepting the purchase of material and supplies, to another head of a department or board or commission.

SECTION 7. Neither the city council nor either branch thereof, nor any committee or member thereof, shall directly or indirectly take part in the employment of labor, the purchase of material, the construction, alteration or repair of any public works or other property, or in the care, custody or management of the same, or in general in the expenditure of public money or in the conduct of the executive or administrative business of the city, except as may be necessary for defraying the contingent and incidental expenses of the city council or of either branch thereof; nor shall they or either of them take part in the making of contracts.

SECTION 8. No sum appropriated for a specific purpose shall be expended for any other purpose; and no expenditure shall be made and no liability shall be incurred by or on behalf of the city until the city council has duly voted an appropriation sufficient to meet such expenditure or liability, together with all prior unpaid liabilities which are payable therefrom, except that after the expiration of the financial year and before the making of the regular annual appropriations liabilities payable out of the regular appropriation may be incurred to an amount not exceeding one sixth of the total of the appropriation made for similar purposes in the preceding year: *provided, however*, that nothing herein contained shall be construed to restrict or limit the school committee in any expenditure which it is now or may be hereafter authorized to make under any general law of the Commonwealth, or to restrict or limit payments on account of the permanent or temporary debt, or such as are required by law to be made to the Commonwealth.

SECTION 9. All revenues and all moneys accruing to the city of Lowell from any source whatever, except trust funds and the revenues of the water department, shall when collected or paid into the treasury be carried to one general account, to be known as the General Treasury Fund; and all appropriations by or on behalf of said city, except from trust funds and on account of the water department, shall be from such fund and as provided in section ten of this act.

General Treasury Fund.

SECTION 10. All bills or other claims, before they are finally certified by the auditor or paid, shall pass the inspection of a committee of the city council on accounts. Said committee shall consist of one member of the board of aldermen and two members of the common council, to be elected annually by ballot by the body they respectively represent. Said committee may report any such bill or claim to the city council with their reasons therefor, and no bill or claim so reported shall be passed by the auditor or be paid without the consent of the council. Said committee may require the opinion of the city solicitor as to the legality of a bill or other claim.

Claims to pass inspection of committee on accounts, etc.

SECTION 11. A yea and nay vote of the members of the city council shall be required to pass any order or vote involving the expenditure or appropriation of the public moneys, or involving any debt or liability, and said vote shall be entered upon the records of each branch of the city council.

Yea and nay vote required in certain cases.

SECTION 12. Less than a quorum of either branch of the city council, or of the school committee, or of the board of overseers of the poor, may adjourn to a fixed day earlier than the next regular meeting, and shall have power to compel the attendance of absent members in such manner as the city council may by ordinance provide.

Less than a quorum may adjourn to a fixed day, etc.

SECTION 13. All acts or parts of acts and all ordinances of the city of Lowell inconsistent herewith are hereby repealed and annulled: *provided*, that no act or ordinance heretofore repealed shall thereby be revived; and *provided, also*, that nothing in this act shall be taken to prohibit the city council from abolishing any department, board, office or commission created by ordinance.

Repeal.

Provisions.

SECTION 14. The question of the acceptance of this act shall be submitted to the qualified voters of the city of Lowell at the annual state election in the present year, and the affirmative votes of a majority of the voters present

Question of acceptance to be submitted to qualified voters, at annual state election, 1896.

and voting thereon shall be required for such acceptance. If so accepted so much thereof as provides for the election of a chief of the department of supplies shall take effect at the next annual municipal election, and the act shall take full effect on the first Monday of January in the year eighteen hundred and ninety-seven.

Approved May 16, 1896.

Chap. 416 AN ACT RELATIVE TO THE CONSTRUCTION OF BUILDINGS IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

1892, 419, § 26,
amended.

External and
party walls
of dwelling
houses.

SECTION 1. Section thirty-six of chapter four hundred and nineteen of the acts of the year eighteen hundred and ninety-two is hereby amended by striking out the words "Such walls of dwellings of the first or second class hereafter built thirty-three feet or over", in the fifth and sixth lines, and inserting in place thereof the words:— For such buildings exceeding said dimensions and not over twenty-three feet wide, or thirty-six feet high, or forty-five feet deep, external walls shall be not less than eight inches thick and party walls shall be not less than twelve inches thick. In case such buildings are to be used for store purposes the external walls thereof to the top of the second floor timbers shall be not less than twelve inches thick. The external and party walls of dwellings of the first or second class hereafter built over thirty-six feet, — so as to read as follows: — *Section 36.* The external and party walls above the foundation of dwelling houses of the first or second class, hereafter built, not over twenty feet wide, or thirty-three feet high, or forty feet deep, shall be not less than eight inches thick. For such buildings exceeding said dimensions and not over twenty-three feet wide, or thirty-six feet high, or forty-five feet deep, external walls shall be not less than eight inches thick and party walls shall be not less than twelve inches thick. In case such buildings are to be used for store purposes the external walls thereof to the top of the second floor timbers shall be not less than twelve inches thick. The external and party walls of dwellings of the first or second class hereafter built over thirty-six feet, but not over sixty feet high, shall be not less than twelve inches thick. Such walls of such dwellings sixty feet or over, but not over seventy feet high, shall be sixteen inches to the height of the top of the

second floor, and twelve inches for the remaining height. Such walls of such dwellings seventy feet or over, but not over eighty feet high, shall be twenty inches to the top of the second floor, sixteen inches to the top of the upper floor, and to within fifteen feet of the roof, and twelve inches the remaining height. Such walls of such dwellings of eighty feet or more in height shall have for the upper eighty feet the thickness required for buildings between seventy and eighty feet in height, and every section of twenty-five feet or part thereof below such upper eighty feet shall have a thickness of four inches more than is required for the section next above it.

SECTION 2. This act shall take effect upon its passage.

Approved May 18, 1896.

AN ACT TO AUTHORIZE THE TOWN OF REVERE TO ELECT A BOARD OF SURVEY.

Chap. 417

Be it enacted, etc., as follows:

SECTION 1. The town of Revere, at its annual election in the year eighteen hundred and ninety-seven, shall choose three persons, citizens of said town who do not hold any other town office, to constitute a Board of Survey for said town, to serve, one for the term of one year, one for the term of two years and one for the term of three years from the date of their election and until their respective successors are elected; and thereafter the voters of said town shall annually at the annual town election elect a citizen of said town to serve as a member of said board for the term of three years from the date of his election or until his successor is chosen. Any vacancy occurring in said board may be filled until the next annual town election by the board of selectmen and board of survey, in joint convention. The members of said board shall receive no compensation for their services.

Town of Revere to elect a board of survey.

Vacancy.

SECTION 2. From the date of the passage of this act until the annual town election in the year eighteen hundred and ninety-seven the board of selectmen of the town of Revere shall act as a board of survey, and have all the rights and duties conferred upon said board by this act.

Selectmen to act until annual town election, 1897.

SECTION 3. The board of survey shall, with all reasonable dispatch, cause to be made under its direction plans of such territory or sections of land in said town as said board may deem necessary, showing thereon the location of such highway or highways, whether already laid out or

Plans to be made showing location of highways, etc.

To give public hearing, etc.

not, as said board shall be of opinion the present or future interests of the public will require in such territory, showing clearly the directions, widths and grades of each highway, and may employ such assistants and incur such expenses as it may deem necessary therefor, not to exceed the amount of money appropriated by the town for said purpose. Said board, before making any such plan, shall give a public hearing as to the locations, directions, widths and grades of the highway or highways in the territory to be shown on the plan, after advertising a notice of such hearing once a week for two successive weeks in a newspaper published in said town, the last advertisement to be at least two days before such hearing, and shall, after making any such plan, give a like notice of hearing thereon, and keep the plan open to public inspection for one month after the first advertisement of such hearing. Such plan thereafter, and after the alterations deemed necessary by said board have been made thereon, shall be marked as made under the provisions of this act, shall be signed by said board, and if approved by the selectmen of said town shall be signed by them, and after being so signed and approved shall be filed in the office of the town clerk of said town, who shall sign the same and attest the date of said filing.

Certain powers of selectmen not abridged, etc.

Construction of highways, etc.

Proviso.

SECTION 4. The powers of the board of selectmen of said town in regard to highways shall not be abridged by this act in any manner except as provided in this section and in section six, and the powers given them in this act shall be in addition to the powers now exercised by them. After the passage of this act no highway in the town of Revere shown on any plan filed as aforesaid shall be laid out, located anew, altered or widened, and no such highway, whether already or hereafter laid out, shall be constructed by any public authority, except in accordance with the provisions of this act; and no person or corporation shall hereafter open for public travel any private way into any highway, unless the location, directions, widths and grades of such private way have been approved in writing by said board of survey and by the selectmen; and neither the town or any other public authority shall place any public sewer, drain, water pipe or lamp in, or do any public work of any kind on, any private way opened to public travel, contrary to the provisions of this act: *provided, however*, that this provision shall not prevent the

laying of a trunk sewer, or a water or gas main, as engineering demands may require.

SECTION 5. If any building shall hereafter be placed or erected in said town at a grade other than the grade therefor recorded in the office of the town clerk, or if any building shall be placed or erected within the boundaries of any way shown on any of the plans hereinbefore provided for, after the filing of the plan as aforesaid, and not removed at the expense of the owner when required by said board of selectmen, no damages occasioned to the estate of which the land on which the building was so placed formed a part at the date of the first advertisement of the first notice given by said board, relating to the plan on which any part of said estate is shown, or to any part of said estate, by any subsequent establishment of any grade of any highway, or by any subsequent change of any grade of any highway, shall be recovered by or be paid to the owner of the whole or of any part of such estate.

Erection of buildings at grades other than those recorded, etc.

SECTION 6. Whenever said board of survey shall be of opinion that any way or strip of land in said town should be laid out as a highway, or that any highway therein should be located anew, altered or widened, and constructed by grading and covering with pavement, gravel or other material, or that any one or more of such improvements should be made, said board shall proceed in the manner provided at the date of the passage of this act for laying out highways in said town.

Improvements in highways.

SECTION 7. No indebtedness shall be incurred by said board of survey under this act until said board shall have submitted to the voters of the town, at a town meeting duly called and holden, a statement of the proposed improvement, together with an estimate of the cost of the same, and an appropriation therefor shall have been made.

Estimated cost of improvements, etc., to be submitted to voters.

SECTION 8. This act shall take effect upon its acceptance by a majority vote of the voters of said town present and voting thereon at a town meeting called for the purpose or at any annual meeting of said town.

When to take effect.

Approved May 18, 1896.

AN ACT RELATIVE TO BAKERIES AND PERSONS EMPLOYED THEREIN.

Chap. 418

Be it enacted, etc., as follows:

SECTION 1. All buildings occupied as biscuit, bread or cake bakeries shall be so drained and shall be provided

Plumbing, etc., in bakeries.

with such a system of plumbing as shall conduce to the proper and healthful condition thereof.

Construction of
floors, walls
and ceilings.

SECTION 2. Every room used for the manufacture of flour or meal food products shall have, if deemed necessary by the authority vested with the enforcement of this act, an impermeable floor constructed of cement or of tiles laid in cement, with an additional flooring of wood properly saturated with linseed oil. The side walls and ceilings of such rooms shall be plastered or wainscoted, and, if required by said authority, shall be whitewashed at least once in three months. The furniture and utensils in such rooms shall be so arranged that the furniture and floor may at all times be kept clean and in a proper and healthful sanitary condition.

Arrangement of
furniture, etc.

Storing of
manufactured
flour or meal
food products.

SECTION 3. The manufactured flour or meal food products shall be kept in perfectly dry and airy rooms, so arranged that the floors, shelves and all other facilities for storing the same can be easily and perfectly cleaned.

Washrooms,
water-closets,
etc.

SECTION 4. Every such bakery shall be provided with a proper washroom and water-closet or closets, with ventilation apart from the bakeroom or rooms where the manufacturing of such food products is conducted; and no water-closet, earth-closet, privy or ash-pit shall be within or communicate directly with the bakeroom of any bakery.

Sleeping places.

SECTION 5. The sleeping places for the persons employed in a bakery shall be separate from the room or rooms where flour or meal food products are manufactured or stored.

Penalty.

SECTION 6. Any person who violates any of the provisions of this act, or refuses to comply with any requirement of the authority vested with its enforcement, as provided herein, shall be guilty of a misdemeanor, and on conviction shall be punished by a fine of not less than twenty nor more than fifty dollars for a first offence, and for a second offence by a fine of not less than fifty nor more than one hundred dollars, or by imprisonment for not more than ten days, and for a third offence by a fine of not less than two hundred and fifty dollars and by imprisonment for not more than thirty days, or by both such fine and imprisonment.

Alterations in
premises.

SECTION 7. The owner, agent or lessee of any property affected by the provisions of sections one two, or four of this act shall, within sixty days after service of notice requiring any alterations to be made in or upon such

premises, comply therewith. Such notice shall be in writing and may be served upon such owner, agent or lessee, either personally or by mail; and a notice mailed to the last known address of such owner, agent or lessee shall be deemed sufficient for the purpose of this act.

SECTION 8. The board of health of a city or town in which a bakery is situated, or in which the business regulated by this act is carried on, shall enforce the provisions of this act and shall cause copies of the same to be printed and posted in all the bakeries and places in which such business is carried on within their respective jurisdictions.

Boards of health to enforce provisions, etc.

Approved May 19, 1896.

AN ACT TO AUTHORIZE THE CITY OF HOLYOKE TO INCREASE ITS WATER SUPPLY.

Chap. 419

Be it enacted, etc., as follows:

SECTION 1. The city of Holyoke by its water commissioners, for the purpose of supplying its inhabitants with pure water for the extinguishment of fires and for domestic and other purposes, may take by purchase or otherwise and hold the waters of the southwesterly branch of the Manhan river, at any point on said river not more than three thousand feet below the confluence of the Tucker and Manhan brooks, in the town of Southampton, also the waters of Tucker and Manhan brooks and the springs connected therewith, and the water rights connected with such waters, and also all lands, rights of way and easements necessary for holding and preserving such water and for diverting and conducting the same into Ashley's and Wright's ponds, so-called, in said city of Holyoke, and also for conducting the same to any and all parts of said city; and may erect upon the land thus taken or held proper dams, buildings and other structures; and may make excavations and provide such other means and appliances as may be necessary for the establishment and maintenance of complete and effective water works; and may construct and lay down conduits, pipes and other works under or over any lands, water courses, railroads or public or private ways, and along any such ways in such manner as not unnecessarily to obstruct the same; and for the purpose of constructing, maintaining and repairing the same, and for all proper purposes of this act, said city may dig up any such lands, and, under the direction of the board of selectmen of the town in which said

May take certain waters, lands, etc.

May erect buildings, lay down pipes, etc.

ways are situated, may enter upon and dig up any such ways, in such manner as to cause the least hindrance to public travel on such ways.

Description of
lands, etc., to be
recorded.

SECTION 2. The city of Holyoke shall, within sixty days after the taking of any such lands, rights of way, water rights, water courses or easements as aforesaid, otherwise than by purchase, file and cause to be recorded in the registry of deeds for the county in which the said lands or other property are situated a description thereof sufficiently accurate for identification, with a statement of the purposes for which the same were taken, signed by the water commissioners of said city.

Damages.

SECTION 3. The city of Holyoke shall be liable to pay all damages sustained by any persons or corporations in their property by the taking of any lands, water, water sources, water rights, easements or other property, or by the construction or repairing of any dams, aqueducts, or other works for the purposes aforesaid, or by the doing of any other act or thing causing damage. If any person or corporation sustaining damages as aforesaid cannot agree with the city upon the amount of such damages they may be assessed by the county commissioners for the counties of Hampden and Hampshire in joint session, by the making of a written application to said commissioners for the assessment of damages within three years after such damages shall have been sustained; and either party aggrieved by the decision of said commissioners in the estimation of said damages, may, upon application to the superior court sitting within and for the county where said damages are sustained, have the same assessed by a jury, and if the damages are increased by the jury said city shall pay all legal costs, but otherwise said costs shall be paid by the party claiming damages; and the said commissioners and jury shall have the same powers, and the proceedings shall in all other respects be conducted in the same manner, as provided in case of taking lands for highways.

Holyoke Water
Fund.

SECTION 4. Said city may, for the purpose of paying the necessary expenses and liabilities incurred under the provisions of this act, issue from time to time bonds, notes or scrip to an amount not exceeding in the aggregate three hundred thousand dollars. Such bonds, notes or scrip shall bear on their face the words, Holyoke Water Fund, shall be payable at the expiration of periods not exceeding thirty years from the date of issue, shall bear interest pay-

able semi-annually at a rate not exceeding six per cent. per annum, and shall be signed by the treasurer of the city and be countersigned by the water commissioners of said city. Said city shall sell such securities at public or private sale, or pledge the same for money borrowed for the purposes of this act, upon such terms and conditions as it may deem proper, provided that such securities shall not be sold for less than the par value thereof. The city shall provide at the time of contracting said loan for the establishment of a sinking fund, and shall annually contribute to such fund a sum sufficient with the accumulations thereof to pay the principal of said loan at maturity. The said sinking fund shall remain inviolate and pledged to the payment of said loan and shall be used for no other purpose. And such bonds, notes or scrip shall not be considered or reckoned in ascertaining the limit of indebtedness of said city under the provisions of chapter twenty-nine of the Public Statutes and of the acts in amendment thereof or in addition thereto.

Sinking fund.

Not to be considered in ascertaining debt limit.

SECTION 5. The city of Holyoke shall, when constructing its pipe line through the town of Southampton, place a Y branch in said pipe line, not less than eight inches in diameter, at its own expense, at such point as may be designated by the selectmen of said town. If at any time thereafter the town of Southampton shall vote to construct a system of water works said town may connect its pipes with that of the city of Holyoke at the Y branch herein provided for, and draw from the pipe of the city of Holyoke, without expense to said town, such quantity of water as may be required by said town to supply its inhabitants with water for fire, domestic, and other purposes, except power, not exceeding one hundred and twenty-five gallons per day for each inhabitant.

To place a Y branch in pipe line through Southampton, etc.

SECTION 6. The provisions of chapter sixty-two of the acts of the year eighteen hundred and seventy-two shall apply to this act, so far as the same are not in conflict herewith.

1872, 62, to apply, etc.

SECTION 7. This act shall take effect upon its passage.

Approved May 19, 1896.

AN ACT MAKING AN APPROPRIATION FOR THE SALARIES AND EXPENSES OF THE AGENTS OF THE STATE BOARD OF EDUCATION.

Chap. 420

Be it enacted, etc., as follows:

SECTION 1. A sum not exceeding twenty thousand three hundred and twenty-five dollars is hereby appro-

Agents of state board of education.

priated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the payment of the salaries and expenses of the agents of the state board of education during the year ending on the thirty-first day of December in the year eighteen hundred and ninety-six.

SECTION 2. This act shall take effect upon its passage.

Approved May 21, 1896.

Chap.421 AN ACT TO AUTHORIZE THE FALL RIVER IRON WORKS COMPANY
TO INCREASE ITS CAPITAL STOCK.

Be it enacted, etc., as follows:

The Fall River Iron Works Company may increase its capital stock.

The Fall River Iron Works Company is hereby authorized to increase its capital stock in the manner provided by law for the increase of the capital stock of manufacturing corporations, and in such amounts as it may from time to time determine, provided that the whole amount of its capital stock shall not exceed four million dollars.

Approved May 21, 1896.

Chap.422 AN ACT RELATIVE TO BOXING MATCHES.

Be it enacted, etc., as follows:

Penalty for engaging in boxing matches for a consideration, etc.

Whoever engages in or gives or promotes a public boxing match or sparring exhibition, or engages in a private boxing match or sparring exhibition, for which the contestants have received or have been promised any pecuniary reward, remuneration or consideration whatsoever, either directly or indirectly, shall be punished by a fine not exceeding two hundred dollars, or by imprisonment in the house of correction for a term not exceeding three months, or by both such fine and imprisonment.

Approved May 21, 1896.

Chap.423 AN ACT RELATIVE TO SAFE DEPOSIT, LOAN AND TRUST COMPANIES.

Be it enacted, etc., as follows:

1888, 413, § 6, amended.

Not to give security in certain cases.

To set aside portion of earnings as a guaranty fund.

SECTION 1. Section six of chapter four hundred and thirteen of the acts of the year eighteen hundred and eighty-eight is hereby amended by adding at the end thereof the following words: — No such corporation shall give collateral or other security for any deposit of money received under the provisions of this section.

SECTION 2. Every such corporation hereafter incorporated, after a deduction of all reasonable expenses incurred in the management thereof, together with such

losses as may have occurred during the year, shall annually set aside not less than ten per cent. of its remaining earnings as a guaranty fund, until such fund amounts to twenty-five per cent. of its capital, which fund shall be invested in the same manner as deposits in savings banks are now or hereafter may be required to be invested.

SECTION 3. No such corporation shall hereafter commence to exercise the powers and duties described in sections seven and eight of said chapter four hundred and thirteen of the acts of the year eighteen hundred and eighty-eight until it shall have applied for and received the written authority of the board of commissioners of savings banks so to do, and such board is hereby authorized to grant or to decline to grant such authority, after such investigation of the affairs of the company as the said board may deem expedient.

Not to exercise certain powers and duties without authority of commissioners of savings banks.

SECTION 4. This act shall take effect upon its passage.

Approved May 21, 1896.

AN ACT RELATIVE TO THE QUALIFICATIONS OF FIREMEN.

Chap. 424

Be it enacted, etc., as follows:

SECTION 1. Persons five feet five inches in height, and over, shall be eligible to appointment on the fire force of the city of Boston, if otherwise qualified; and no rules shall be made by the civil service commissioners in conflict with the provisions of this section.

Qualifications of firemen in Boston.

SECTION 2. This act shall take effect upon its passage.

Approved May 21, 1896.

AN ACT RELATIVE TO DISCHARGES FROM THE VOLUNTEER MILITIA.

Chap. 425

Be it enacted, etc., as follows:

Section sixty-five of chapter three hundred and sixty-seven of the acts of the year eighteen hundred and ninety-three is hereby amended by adding at the end thereof the following words: — after a hearing before the governor, at which hearing such officer shall have the right to be present with counsel, — so that said section as amended will read as follows: — *Section 65.* An officer may be honorably discharged by the commander-in-chief, upon removal of residence from the state; upon tender of resignation; upon the disbandment of the organization to which he belongs; or, if a staff officer, on the written request of the officer appointing him; or upon the qualifi-

1893, 367, § 65, amended.

Discharge of officers from the volunteer militia.

cation of his appointed successor; or when he accepts an appointment in the army or navy of the United States; or for the purpose of reorganization of the militia or any part thereof, upon the recommendation of a board of officers appointed for that purpose, after a hearing before the governor, at which hearing such officer shall have the right to be present with counsel.

Approved May 21, 1896.

Chap.426 AN ACT RELATIVE TO THE DUTIES AND JURISDICTION OF THE BOARD OF GAS AND ELECTRIC LIGHT COMMISSIONERS.

Be it enacted, etc., as follows:

Enforcement of certain orders of gas and electric light commissioners, etc.

SECTION 1. The supreme judicial court or the superior court, or any justice thereof, in term time or vacation may, on the application of the board of gas and electric light commissioners, by any appropriate process in equity enforce all lawful orders of said board and all provisions of law respecting persons, corporations or municipalities engaged in the manufacture and sale of gas and electricity for lighting.

SECTION 2. This act shall take effect upon its passage.

Approved May 21, 1896.

Chap.427 AN ACT TO EXEMPT CERTAIN OFFICERS OF COURTS FROM SERVING AS JURORS.

Be it enacted, etc., as follows:

P. S. 170, § 2, amended.

SECTION 1. Section two of chapter one hundred and seventy of the Public Statutes is hereby amended by striking out the words "clerks of courts", in the seventh line, and inserting in place thereof the words:— clerks and assistant clerks and all regularly appointed officers of any of the courts of the United States, and of any of the courts now existing or which may hereafter be established in this Commonwealth,—so as to read as follows:—

Certain persons exempt from serving as jurors.

Section 2. The following persons shall be exempt from serving as jurors, to wit:—The governor; lieutenant governor; members of the council; secretary of the Commonwealth; members and officers of the senate and house of representatives during the session of the general court; judges and justices of a court, except justices of the peace; county and special commissioners; clerks and assistant clerks and all regularly appointed officers of any of the courts of the United States, and of any of the courts now

existing or which may hereafter be established in this Commonwealth; registers of probate and insolvency; registers of deeds; sheriffs and their deputies; constables; marshals of the United States and their deputies, and all other officers of the United States; attorneys at law; settled ministers of the gospel; officers of colleges; preceptors and teachers of incorporated academies; practising physicians and surgeons regularly licensed; cashiers of incorporated banks; constant ferrymen; persons who are more than sixty-five years old; members of the volunteer militia; members of the ancient and honorable artillery company; superintendents, officers, and assistants employed in or about a state hospital, state almshouse, jail, lunatic hospital, house of correction, house of industry, reform school, or state prison; keepers of light-houses; conductors and engine drivers of railroad trains; teachers in public schools; and enginemen and members of the fire department of the city of Boston; and enginemen and members of the fire department of other places may be exempt by the vote of the city council of the city or the inhabitants of the town.

SECTION 2. This act shall take effect upon its passage.

Approved May 21, 1896.

AN ACT TO INCORPORATE THE WORCESTER REAL ESTATE ASSOCIATION.

Chap. 428

Be it enacted, etc., as follows:

SECTION 1. Otis E. Putnam, Henry W. Eddy, James H. Howland, Harlan P. Duncan and Henry S. Pratt, their associates and successors, are hereby made a corporation for the term of thirty years from the date of the passage of this act, by the name of the Worcester Real Estate Association, subject to the provisions of chapter one hundred and five of the Public Statutes and to all general laws which now are or hereafter may be in force relating to such corporations, and shall have the powers and be subject to the liabilities and restrictions prescribed therein.

Worcester
Real Estate
Association
incorporated.

SECTION 2. The said corporation shall have power to purchase, hold, sell, mortgage, let and lease the real estate in the city of Worcester known as Richmond Heights, comprising about seventeen acres of land, situated on Pleasant street, in the westerly part of said Worcester, being the same premises as are shown on a plan recorded with Worcester district registry of deeds, in book fourteen

May hold cer-
tain real estate,
etc.

hundred and fourteen, page six hundred and fifty-three, and to improve the same by the erection of dwelling houses, stores and other buildings thereon or otherwise as may be expedient.

Capital stock.

Proviso.

May increase capital stock.

Provisos.

SECTION 3. The capital stock of said corporation shall be twenty-five thousand dollars, and shall be divided into shares of one hundred dollars each : *provided*, that no stock shall be issued until the whole amount of said capital stock shall have been paid in, either in cash or property, the value of which property, if any, shall be determined by the commissioner of corporations.

SECTION 4. The said corporation may from time to time increase its capital stock in amounts not to exceed in the aggregate the further sum of one hundred and twenty-five thousand dollars : *provided*, that no shares in such increased capital stock shall be issued for a less sum to be actually paid in on such shares in cash or property than the par value thereof, which shall not be less than one hundred dollars, the value of said property to be determined as aforesaid ; and, *also, provided*, that a certificate stating the amount of any such increase shall within ten days thereafter be made, signed and sworn to by its president, treasurer and a majority of its directors, and be filed in the office of the secretary of the Commonwealth.

SECTION 5. This act shall take effect upon its passage.

Approved May 23, 1896.

Chap.429 AN ACT RELATIVE TO AGENTS OF THE STATE BOARD OF EDUCATION.

Be it enacted, etc., as follows :

Sale, etc., of public school supplies.

SECTION 1. No agent of the state board of education shall be pecuniarily interested, either directly or indirectly, in the publication or sale of any text book, school book or article of school supply used in the public schools of this Commonwealth.

SECTION 2. This act shall take effect on the first day of January in the year eighteen hundred and ninety-seven.

Approved May 25, 1896.

Chap.430 AN ACT TO INCORPORATE THE MARLBOROUGH AND WESTBOROUGH STREET RAILWAY COMPANY.

Be it enacted, etc., as follows :

Marlborough and West-borough Street Railway Company incorporated.

SECTION 1. Edward F. Blodgett, Edwin B. Harvey, Marcus A. Coolidge, William N. Davenport, George W. Mantle, Charles S. Henry and Arthur M. Bridgman, their

associates and successors, are hereby made a corporation under the name of the Marlborough and Westborough Street Railway Company, with all the powers and privileges and subject to all the duties, conditions and restrictions set forth in all general laws that now are or hereafter may be in force relating to street railway companies.

SECTION 2. Said company is hereby authorized to **construct and operate a railway, with single or double tracks and with convenient turn-outs and switches, over and upon such locations in the streets or highways in the city of Marlborough and in the towns of Westborough, Northborough and Southborough, as shall be from time to time fixed and determined by the mayor and aldermen of said city, and by the selectmen of said towns respectively.**

May construct and operate a railway in Marlborough and in certain towns.

SECTION 3. Said company may locate, construct, equip and operate its railway with suitable tracks and turn-outs upon and over private lands within said city and towns, and for such purpose may take and hold by purchase or otherwise all necessary lands, and may take and hold by purchase or otherwise all land necessary for power stations and other uses incidental to the proper maintenance of its railway, and may erect and equip upon said land a station or stations, with sufficient steam and electrical power for the operation of its railway. The proceedings for the fixing of the route, location and construction of said railway over all of the route lying outside of the streets and public ways of said city and towns and for the taking of private lands for the purposes named in this section shall be similar to those prescribed by general laws in relation to railroads.

May take necessary lands, etc.

Proceedings for fixing route, location, etc.

SECTION 4. The location of said railway outside of public streets and highways shall not exceed fifty feet in width.

Width of location.

SECTION 5. Said company may maintain and operate said railway by any motive power other than steam, approved by the mayor and aldermen of the city of Marlborough and by the selectmen of the towns of Westborough, Northborough and Southborough, and, with the consent of such boards of aldermen and selectmen, may make such underground alterations of the streets and highways, and may erect such poles and wires therein, and may erect and maintain such poles and wires on private lands obtained as aforesaid, as may be necessary to establish and maintain such motive power.

Motive power, etc.

Capital stock.

SECTION 6. The capital stock of said corporation shall not exceed one hundred thousand dollars, except that said corporation may increase its capital stock subject to the general laws applicable to such increase.

May issue mortgage bonds, etc.

SECTION 7. Said corporation may from time to time, by vote of the majority in interest of its stockholders, issue coupon or registered bonds. To secure the payment of such bonds, with interest thereon, said corporation may make a mortgage of its road and franchise and of any part of its other property, and may include in such mortgage property thereafter to be acquired, and may therein reserve to its directors the right to sell or otherwise in due course of business to dispose of property included therein which may become worn, damaged or unsuitable for use in the operation of its road, provided that an equivalent in value is substituted therefor. All bonds issued shall first be approved by some person appointed by the corporation for that purpose, who shall certify upon each bond that it is properly issued and recorded. All stock and bonds authorized by this act shall be issued and disposed of in accordance with the provisions of all general laws relative to the issue of stock and bonds by street railway companies.

Bonds to be approved, etc.

May acquire water power, etc.

SECTION 8. Said company may acquire by purchase and hold any water power and appurtenant lands for the purpose of furnishing motive power for its own use or for the use of any connecting street railway.

Rights granted to be void under certain conditions.

SECTION 9. All rights granted under this act shall be null and void in case said railway shall be sold or leased to any foreign corporation.

Railway to be constructed, etc., before July 1, 1898.

SECTION 10. This act shall take effect upon its passage, but shall become void unless said railway is constructed and put in operation before the first day of July in the year eighteen hundred and ninety-eight.

Approved May 25, 1896.

Chap. 431

AN ACT TO INCORPORATE THE MARTHA'S VINEYARD STREET RAILWAY COMPANY AND TO AUTHORIZE IT TO LEASE OR PURCHASE THE PROPERTY AND FRANCHISES OF THE COTTAGE CITY STREET RAILWAY COMPANY.

Be it enacted, etc., as follows:

Martha's Vineyard Street Railway Company incorporated.

SECTION 1. John R. Graham, John A. Duggan, Frederick H. Smith, Josiah Quincy, Frederick Nichols, William H. Gallison and John F. Merrill, their associates and

successors, are hereby made a corporation under the name of the Martha's Vineyard Street Railway Company, with all the powers and privileges and subject to all the duties, liabilities and restrictions set forth in all general laws that now are or hereafter may be in force relating to street railway companies, except as hereinafter provided.

SECTION 2. Said company may construct and operate a railway, with single or double tracks, and with convenient turn-outs and switches and necessary wires, poles and fixtures, over such locations upon any highways, bridges or wharves in the towns of Edgartown, Cottage City, Tisbury, West Tisbury and Chilmark, as shall from time to time be granted by the selectmen of said towns respectively, and upon such private land in said towns as said company may acquire by lease or purchase.

May construct and operate a railway in certain towns.

SECTION 3. Said company may acquire by lease or purchase all real estate necessary for its tracks, turn-outs, switches, power station, bridges and wharves, and for all other uses incident to the proper carrying on of its business.

May acquire necessary real estate.

SECTION 4. Said company may maintain and operate its railway by any motive power other than steam, and may, with the consent of the selectmen of the towns of Edgartown, Cottage City, Tisbury, West Tisbury and Chilmark, erect poles and wires in places under the control of said selectmen, and may erect and maintain such poles and wires upon private land acquired by purchase or lease, as may be necessary to establish such motive power and carry on its business.

Motive power.

SECTION 5. Said company is hereby authorized to carry on the express business and to be a common carrier for the conveyance of passengers, goods, parcels and mails, subject to the provisions of chapter seventy-three of the Public Statutes and to all laws relating to common carriers and express companies.

May carry on the express business, etc.

SECTION 6. The capital stock of said corporation shall not exceed one hundred and fifty thousand dollars, but such capital stock may be increased according to the general laws.

Capital stock.

SECTION 7. Said company may from time to time, by vote of a majority in interest of its stockholders, issue coupon or registered bonds to an amount not exceeding the amount of its capital stock actually paid in, which bonds shall be payable in not exceeding twenty-five years

May issue mortgage bonds, etc.

from the date of issue thereof; and to secure payment thereof, with interest thereon, said company may make a mortgage of its railway, franchises and other property, and may include therein property thereafter to be acquired, and may therein reserve to its directors the right to sell or otherwise in due course of business to dispose of property included therein which may become worn, damaged or otherwise unsuitable for use in the operation of its railway and the transaction of its business, provided that an equivalent in value is substituted therefor. All bonds issued shall first be approved by some person appointed by the corporation for that purpose, who shall certify upon each bond that it is properly issued and recorded.

Bonds to be approved.

Issue of stock or bonds to be approved by railroad commissioners, etc.

SECTION 8. No stock or bonds shall be issued under this act until the terms of such issue have been submitted to the board of railroad commissioners and approved by them, and all the provisions of the general laws relating to the issue of stocks and bonds of street railway companies have been complied with.

May lease or purchase franchise, property, etc., of Cottage City Street Railway Company, etc.

SECTION 9. Said Martha's Vineyard Street Railway Company is hereby authorized, when it has been duly organized, to lease or purchase the railway, franchise, property, rights and easements of the Cottage City Street Railway Company; and the Cottage City Street Railway Company is hereby authorized to lease or sell and convey the same to the Martha's Vineyard Street Railway Company, which latter company shall, upon such lease or conveyance and in accordance with the terms thereof, have and enjoy the powers and privileges and be subject to the duties, liabilities and restrictions of the said Cottage City Street Railway Company: *provided, however*, that no such lease or purchase and sale shall be valid or binding until the terms thereof have been agreed to by a majority of the directors of each of said companies and by a majority in interest of their respective stockholders at meetings duly called for the purpose, and have been approved by the board of railroad commissioners in the manner provided by law.

Proviso.

1891, 308, § 4, to apply.

SECTION 10. The provisions of section four of chapter three hundred and eight of the acts of the year eighteen hundred and ninety-one are, so far as they are applicable, made part hereof, and shall apply to any purchase and sale by either of said companies hereunder.

SECTION 11. This act shall take effect upon its passage, but the right to locate and operate a street railway in any of the towns herein mentioned shall become void unless such railway is in operation therein within three years from the passage of this act. *Approved May 25, 1896.*

Railway to be in operation within three years, etc.

AN ACT TO EXTEND THE TIME WITHIN WHICH THE ESSEX COUNTY STREET RAILWAY COMPANY MAY CONSTRUCT AND OPERATE ITS RAILWAY.

Chap. 432

Be it enacted, etc., as follows :

SECTION 1. The time within which the Essex County Street Railway Company is authorized by chapter three hundred and eighty-eight of the acts of the year eighteen hundred and ninety-three to construct and operate its railway is hereby extended to the first day of January in the year eighteen hundred and ninety-eight.

Time extended.

SECTION 2. This act shall take effect upon its passage.

Approved May 25, 1896.

AN ACT RELATIVE TO THE BOARD OF WATER COMMISSIONERS AND THE WATER SUPPLY OF THE CITY OF HAVERHILL.

Chap. 433

Be it enacted, etc., as follows :

SECTION 1. The board of water commissioners of the city of Haverhill shall render to the city council of said city, annually, a report of its doings, including a statement of its receipts and expenditures.

Water commissioners of Haverhill to report annually.

SECTION 2. The accounts of said board shall be audited annually by the city auditor.

Accounts to be audited.

SECTION 3. Said board, by unanimous vote of all the members thereof, with the approval of the mayor, shall have full power and authority to sell any real estate under the charge of the water department not included in the watershed of the lakes, ponds, streams or basins from which water for domestic purposes is taken, and to execute and deliver on behalf of the city such deeds or other instruments as may be necessary to convey a full and complete title to land so sold, to the purchaser or purchasers thereof.

May sell certain real estate, etc.

SECTION 4. Said board of water commissioners, by unanimous vote of all the members thereof, acting by and with the consent of the mayor, and of the city council of said city, shall have full power and authority to sell any lands lying within the watershed of the lakes, great pond,

May sell certain lands lying within the watershed of the lakes, etc.

basins or reservoirs from which the city is supplied with water for domestic purposes; and said board shall have full power and authority to execute and deliver in the name of said city all deeds and other instruments which may be necessary to convey a full and complete title to the premises so sold, to the purchaser or purchasers thereof.

1891, 348, § 5,
amended.

SECTION 5. Section five of chapter three hundred and forty-eight of the acts of the year eighteen hundred and ninety-one is hereby amended by striking out the first five lines of said section, and inserting in place thereof the following:—*Section 5.* All the powers and duties granted to and imposed upon the city of Haverhill by this act, including the control and management of the franchise, rights and property of the Haverhill Aqueduct Company, in case the same are purchased or taken by the city under the acts aforesaid, except the right to issue bonds, notes or scrip as authorized by section six of this act,—so that said section as amended shall read as follows:—*Section 5.* All the powers and duties granted

Water com-
missioners, ap-
pointment, pow-
ers and duties.

to and imposed upon the city of Haverhill by this act, including the control and management of the franchise, rights and property of the Haverhill Aqueduct Company, in case the same are purchased or taken by the city under the acts aforesaid, except the right to issue bonds, notes or scrip as authorized by section six of this act, shall be exercised by a board of water commissioners, consisting of five residents of the city to be appointed by the mayor with the approval of the city council. Said commissioners shall be appointed and hold their office for the terms of one, two, three, four and five years, respectively, from the first Monday of May next following their appointment; and thereafter one commissioner shall be appointed each year for the term of five years from the first Monday of May. All such commissioners, except in case of removal, shall hold office until their successors are appointed in their stead. Vacancies occurring during the term may be filled for the remainder of the term. No person shall be appointed commissioner who holds at the time any city office by popular election. Any commissioner, after due notice and hearing, may be removed at any time by a two thirds vote of each branch of the city council, for any cause which shall be deemed sufficient and shall be expressed in the vote of removal. The commissioners shall receive no compensation for their services

Terms of office.

Vacancies,
removals, com-
pensation, etc.

unless the city council by a two thirds vote of each branch thereof otherwise determine, and in such case the amount of compensation may be fixed by a like two thirds vote.

SECTION 6. Section seven of chapter three hundred and forty-eight of the acts of the year eighteen hundred and ninety-one is hereby amended by striking out all of said section, and inserting in place thereof the following :

1891, 348, § 7.
amended.

— *Section 7.* The board of water commissioners of the city of Haverhill shall fix the prices or rents for the use of water supplied annually; and the income received therefrom, after deducting all expenses and charges of distribution, shall be applied, — first, to the payment of the interest on the bonds issued on account of said water supply; second, to the payment of sinking funds requirements for loans, in accordance with the provisions of chapter twenty-nine of the Public Statutes; third, to the payment of all current expenses of said board of water commissioners; fourth, the balance, if any, may be applied to the sinking funds for said loans, in the discretion of the board of water commissioners. The said board of water commissioners may expend from the annual receipts for the purpose of new construction a sum not exceeding twenty thousand dollars in any one year. The commissioners of sinking funds of the city of Haverhill shall be trustees of a sinking fund which shall be set apart for the payment and redemption of said water loan, and which shall remain inviolate and pledged to the payment of said loan and shall be used for no other purpose. If, after the payment of the interest on the bonds issued and the current expenses, the said surplus does not equal two per cent. of the total amount of the bonds, notes and scrip issued under this act, the city shall raise by general taxation a sum which with the surplus shall equal said two per cent., and shall contribute said sum to the sinking fund. The commissioners shall annually, and as often as the city council may require, render an account of all their doings in relation to the sinking fund, and shall be governed by the provisions of section eleven of chapter twenty-nine of the Public Statutes, except as herein otherwise provided.

Water commis-
sioners to fix
rates for use of
water, etc.

Trustees of
sinking fund,
etc.

Commissioners
to render an-
nual account,
etc.

SECTION 7. Section one of chapter four hundred and seventeen of the acts of the year eighteen hundred and ninety two is hereby amended by striking out the word "five", in the second line, and inserting in place thereof

1892, 417, § 1
amended.

City of Haverhill may take certain lands, waters, etc.

Title of land to vest in city, etc.

Certain powers and duties to be exercised by water commissioners.

the word : — six, — and by adding at the end of said section the following : — All the powers and duties granted to and imposed upon the city of Haverhill by this act shall be exercised by the board of water commissioners of said city, — so that said section as amended shall read as follows : — *Section 1.* The city of Haverhill is hereby authorized to take within six years from the passage of this act and hold, by purchase or otherwise, any lands, waters, water rights or easements not already owned or taken by said city, upon or within the watersheds of Round pond, Plug pond, Kenosha lake and Crystal lake, great ponds within said city of Haverhill, or either of them, which shall be deemed necessary for the protection and preservation of said watersheds, or either of them, or for preserving, increasing or protecting the purity of the waters of said great ponds, or either of them. The title to all land taken or purchased under the provisions of this act shall vest in said city, and the land taken may be managed, improved and controlled by the board of water commissioners, in such manner as they shall deem for the best interests of said city. All the powers and duties granted to and imposed upon the city of Haverhill by this act shall be exercised by the board of water commissioners of said city.

Approved May 25, 1896.

Chap. 434

AN ACT MAKING APPROPRIATIONS FOR THE TAUNTON LUNATIC HOSPITAL, THE WESTBOROUGH INSANE HOSPITAL, AND FOR CERTAIN OTHER EXPENSES AUTHORIZED BY LAW.

Be it enacted, etc., as follows :

Appropriations.

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified in certain acts and resolves of the present year, and for certain other expenses authorized by law, to wit : —

Extra clerical assistance to treasurer and receiver general.

For extra clerical assistance in the office of the treasurer and receiver general of the Commonwealth, as authorized by chapter three hundred and twenty-six of the acts of the present year, a sum not exceeding twenty-five hundred dollars, the same to be in addition to any amounts heretofore appropriated for the same purpose.

Massachusetts Institute of Technology.

For the Massachusetts Institute of Technology, for the maintenance of forty free scholarships, as provided for by chapter three hundred and ten of the acts of the present year, a sum not exceeding four thousand dollars, the same

to be in addition to any amount heretofore appropriated during the present year for the same purpose.

For the salary of the examiner for the insurance department, as authorized by chapter three hundred and thirty-five of the acts of the present year, a sum not exceeding thirteen hundred and fifty dollars.

Examiner for insurance department.

For printing extra copies of the report of the Massachusetts highway commission, as authorized by chapter thirty-three of the resolves of the present year, the sum of two hundred ninety-eight dollars and eighty-one cents, the same to be in addition to any amount heretofore appropriated for the same purpose.

Report of Massachusetts highway commission.

For the salary of the lieutenant governor of the Commonwealth, as provided for by chapter three hundred and forty-seven of the acts of the present year, the sum of four thousand thirty-three dollars and thirty-four cents, the same to be in addition to any amount heretofore appropriated.

Salary of lieutenant governor.

For continuing the investigation relating to a general system of drainage and sewerage for the city of Salem and the town of Peabody, as authorized by chapter sixty-nine of the resolves of the present year, a sum not exceeding one thousand dollars.

Drainage and sewerage for Salem and Peabody.

For printing one thousand additional copies of the report of the board of library commissioners, as authorized by chapter seventy of the resolves of the present year, the sum of one hundred and twelve dollars.

Report of library commissioners.

For certain repairs and improvements at the state lunatic hospital at Taunton, as authorized by chapter seventy-two of the resolves of the present year, a sum not exceeding twenty thousand eight hundred and seventy-nine dollars.

Lunatic hospital at Taunton.

For certain improvements at the state industrial school for girls, as authorized by chapter seventy-three of the resolves of the present year, a sum not exceeding twenty-nine hundred and sixty dollars.

Industrial school for girls.

For additional shop room at the state prison, as authorized by chapter seventy-five of the resolves of the present year, a sum not exceeding two thousand dollars.

State prison.

For certain repairs and improvements at the Westborough insane hospital, as authorized by chapter seventy-six of the resolves of the present year, a sum not exceeding twenty-six thousand four hundred and fifty dollars.

Westborough insane hospital.

For services and other work connected with the conservation of the Connecticut river, as authorized by chapter

Conservation of Connecticut river.

- seventy-seven of the resolves of the present year, a sum not exceeding one thousand dollars.
- Statutes relating to elections.** For the codification of the statutes relating to elections, as authorized by chapter seventy-eight of the resolves of the present year, a sum not exceeding five hundred dollars.
- Massachusetts School for Feeble-minded.** For the erection of two buildings at the Massachusetts School for the Feeble-minded, as authorized by chapter eighty-one of the resolves of the present year, a sum not exceeding sixty thousand dollars.
- Sewer assessments on property of Commonwealth in Worcester.** For the payment of sewer assessments on the property of the Commonwealth in the city of Worcester, as authorized by chapter eighty-two of the resolves of the present year, the sum of five hundred one dollars and five cents.
- Index to archives.** For the preparation of an index to the Massachusetts archives, as authorized by chapter eighty-three of the resolves of the present year, a sum not exceeding twelve hundred dollars.
- Gift for battleship Massachusetts.** For a suitable and proper gift to be placed in the battleship Massachusetts, as authorized by chapter eighty-four of the resolves of the present year, a sum not exceeding two thousand dollars.
- Manufacturers' Agricultural Society in North Attleborough.** For the Manufacturers' Agricultural Society in the town of North Attleborough, as authorized by chapter eighty-five of the resolves of the present year, the sum of six hundred dollars.
- Consolidation of Public Statutes.** For a consolidation and arrangement of the Public Statutes of the Commonwealth, as authorized by chapter eighty-seven of the resolves of the present year, a sum not exceeding fifteen thousand dollars.
- Report of metropolitan district commission.** For printing additional copies of the report of the metropolitan district commission, a sum not exceeding one hundred and forty-four dollars, and for the payment for sixteen hundred copies of the report of said commission already printed in excess of the number authorized by law, a sum not exceeding three hundred dollars, all of which is authorized by chapter eighty-eight of the resolves of the present year.
- State farm.** For certain repairs and improvements at the state farm, as authorized by chapter eighty-nine of the resolves of the present year, a sum not exceeding thirty-four thousand two hundred dollars.
- Normal school at Framingham.** For improvements at the state normal school at Framingham, as authorized by chapter ninety of the resolves

of the present year, a sum not exceeding thirty-one thousand dollars.

For grading the grounds and furnishing and fitting the new normal school buildings, as authorized by chapter ninety-one of the resolves of the present year, the following sums, to wit: For the new normal school at Hyannis, a sum not exceeding twenty-five thousand dollars; for the new normal school at Fitchburg, a sum not exceeding thirty-five thousand dollars; for the new normal school at Lowell, a sum not exceeding fifty thousand dollars; for the new normal school at North Adams, a sum not exceeding twenty-five thousand dollars; for the new normal school building at Salem, a sum not exceeding forty-three thousand dollars.

New normal school buildings.

For improvements and repairs at the state almshouse, as authorized by chapter ninety-two of the resolves of the present year, a sum not exceeding fifty-six thousand four hundred dollars.

State almshouse.

For maintaining industries at the state prison and reformatories, as authorized by chapter ninety-three of the resolves of the present year, a sum not exceeding one hundred thousand dollars, the same to be in addition to any amount heretofore appropriated for the same purpose.

Industries at state prison and reformatories.

For repairs at the reformatory prison for women, as authorized by chapter ninety-four of the resolves of the present year, a sum not exceeding twenty-eight hundred dollars.

Reformatory prison for women.

For the protection of the town of Agawam against the further encroachments of the Connecticut river, as authorized by chapter ninety-five of the resolves of the present year, a sum not exceeding fifteen hundred dollars.

Protection of Agawam against encroachments of Connecticut river.

SECTION 2. This act shall take effect upon its passage.

Approved May 25, 1896.

AN ACT RELATIVE TO THE HOLDING OF CAUCUSES IN THE CITY OF BOSTON.

Chap. 435

Be it enacted, etc., as follows:

SECTION 1. In the city of Boston no caucus of a political party for the choice of candidates to be voted for at a municipal election in said city and for the choice of delegates to a convention to nominate candidates to be voted for at such municipal election, except such caucuses as relate to special elections, shall be called for a date

Calling of caucuses and conventions in Boston.

earlier than seven days after the regular state election; nor shall any convention to nominate candidates to be voted for at any municipal election in said city be called for a date earlier than four days after the holding of the caucus for the choice of delegates to such convention.

Nomination
papers to be
sealed and filed
ten days before
caucus.

SECTION 2. In the city of Boston all nomination papers of candidates for elective offices, for delegates to a convention, for caucus officers, and for a ward committee to be voted for at a caucus, shall be sealed up and filed in the office of the secretary of the respective city committees not less than ten week days previous to the day on which the caucus is to be held for which the nominations are made.

Correction of
errors, etc.

SECTION 3. In case any error or informality shall be found in any nomination paper filed with the board of election commissioners, in accordance with the provisions of section fifteen of chapter five hundred and seven of the acts of the year eighteen hundred and ninety-five, the same shall be forthwith returned to the secretary of the committee by whom the same was filed, for the purpose of correcting such error or informality; and if the said paper is not corrected and again filed, as therein provided, before five o'clock in the afternoon of the day following its return to said secretary, the same shall be regarded and treated as of no effect or validity.

Recount of
ballots, etc.

SECTION 4. If before five o'clock in the afternoon of the second day next succeeding the day of any caucus held in said city under the provisions of the acts relating to the holding of caucuses in said city, ten or more qualified voters of any ward in said city shall sign, adding thereto their respective residences on the first day of May of that year, swear to and file with the board of election commissioners, a statement that they have reason to believe that the records and returns made by the caucus officers of such ward are erroneous, and shall specify wherein they deem they are in error, said board of election commissioners shall as soon as may be after the filing of such statement open the package or packages containing the ballots cast and voting lists used at such caucus, and recount said ballots and determine the questions raised; and such recount shall stand as the true result of the vote cast in such caucus. And each candidate interested may appear and be present during such recount, either in person or by an agent appointed by him in writing.

SECTION 5. The presiding officer and secretary of every caucus held within the city of Boston shall, within three week days after the date of such caucus, deliver, send or cause to be sent to each delegate to a political convention, and to each member of a political committee, a certificate of his election, and to each candidate for an elective office a notice of his nomination. And any such presiding officer or secretary who wilfully neglects or refuses to comply with the above requirements shall be punished by a fine not exceeding fifty dollars for each offence.

Presiding officer and secretary to notify persons elected, etc.

Penalty.

SECTION 6. Every caucus officer in the city of Boston, elected under the provisions of section twenty-six of chapter five hundred and seven of the acts of the year eighteen hundred and ninety-five, shall before entering upon the discharge of his duties be sworn to the faithful discharge thereof, and such oath may be administered by the warden, clerk, or a justice of the peace, and a record of such fact shall be made upon the record book of such caucus and shall be certified to by the clerk.

Caucus officers to be sworn, etc.

SECTION 7. The board of election commissioners, after a voting list has been used at a caucus of a political party, upon written application for a copy of the list as checked, signed by not less than ten legal voters in said ward, may unseal and open the envelope containing such voting list and shall furnish to such applicants a certified copy of the list as checked.

Election commissioners to furnish certified copies of voting lists as checked.

SECTION 8. All acts or parts of acts inconsistent herewith, so far as they interfere with the provisions herein contained, are hereby repealed.

Repeal.

SECTION 9. This act shall take effect upon its passage.

Approved May 25, 1896.

AN ACT RELATIVE TO THE COMPENSATION FOR DAMAGES OCCASIONED BY THE CONSTRUCTION OF THE METROPOLITAN WATER SYSTEM.

Chap. 436

Be it enacted, etc., as follows:

SECTION 1. Section sixteen of chapter four hundred and eighty-eight of the acts of the year eighteen hundred and ninety-five is hereby amended by striking out in the eleventh line, the word "two", and inserting in place thereof the word:—three,—so as to read as follows:—
Section 16. The treasurer of the Commonwealth shall, from the proceeds of the bonds hereinafter provided for,

1896, 438, § 16, amended.

City of Boston to be reimbursed and certain sums to be paid to

towns of Boylston and West Boylston.

reimburse the city of Boston for all moneys paid or that may hereafter be paid by said city for land damages, or otherwise, in connection with the location, building or maintenance of reservoirs or basins not yet built, or for lands taken for the preservation or protection of the purity of the waters of any reservoirs, or basins or of the tributaries thereof, and shall pay as part of the expenses of said metropolitan water works to the town of Boylston the sum of three thousand dollars a year and to the town of West Boylston the sum of twelve thousand dollars a year for the year of and each year succeeding said taking of the waters of said Nashua river, so long as each of said towns remains a municipality, and shall pay no tax or other payment to either of said towns on account of any property held by said water board for the purposes of a water supply.

SECTION 2. This act shall take effect upon its passage.

Approved May 27, 1896.

Chap. 437 AN ACT TO AUTHORIZE THE NORTHAMPTON STREET RAILWAY COMPANY TO ACT AS A COMMON CARRIER OF PARCELS.

Be it enacted, etc., as follows:

May act as a common carrier of small parcels. Provisos.

The Northampton Street Railway Company may act as a common carrier of small parcels: *provided*, that said company shall not so act in the city of Northampton, or in any town until authorized to do so by a two thirds vote of the voters of said city or town present and voting thereon at an annual or special election held for that purpose; and *provided, further*, that said company shall in the carrying of parcels be subject to such ordinances or by-laws as said city or town may make in relation thereto.

Approved May 27, 1896.

Chap. 438 AN ACT TO REVISE THE CHARTER OF THE CITY OF HOLYOKE.

Be it enacted, etc., as follows:

TITLE 1. — MUNICIPAL GOVERNMENT.

City of Holyoke.

SECTION 1. The inhabitants of the city of Holyoke shall continue to be a body politic and corporate, under the name of the City of Holyoke, and as such shall have, exercise and enjoy all the rights, immunities, powers and privileges, and shall be subject to all the duties and obligations, now incumbent upon and appertaining to said city as a municipal corporation.

SECTION 2. The administration of all the fiscal, prudential and municipal affairs of said city, with the government thereof, shall, except the affairs of the public schools of said city, be vested in an executive department, which shall consist of one officer, to be called the mayor, and in a legislative department, which shall consist of a single body, to be called the board of aldermen, the members whereof shall be called aldermen. The executive department shall never exercise any legislative power, and the legislative department shall never exercise any executive power, except as herein otherwise provided.

Administration of municipal affairs, etc.

SECTION 3. The territory of said city shall continue to be divided into seven wards, which shall retain their present boundaries until the same shall be changed under the general law relating thereto. The number of wards may, in any year fixed by law for a new division of wards in cities, be changed by vote of the board of aldermen, with the approval of the mayor, at or prior to making such division; but the number of wards shall never be less than seven.

Seven wards.

TITLE 2. — ELECTIONS AND MEETINGS.

SECTION 4. All meetings of the qualified voters of said city for the purpose of voting at elections and for other municipal or legal purposes shall be called by order of the board of aldermen, and, so far as applicable, in the manner provided for calling elections in cities by chapter four hundred and seventeen of the acts of the year eighteen hundred and ninety-three and acts in amendment thereof and in addition thereto.

Meetings of qualified voters.

SECTION 5. The municipal election shall take place annually on the second Tuesday of December, and the municipal year shall begin at ten o'clock in the morning on the first Monday of January next following, and continue until ten o'clock in the morning on the first Monday of January next following.

Municipal election and municipal year.

SECTION 6. At such municipal election the qualified voters shall give in their votes by ballot for mayor, city clerk, city treasurer, members of the board of aldermen and of the school committee, or of such of them as are to be elected, and the person receiving the highest number of votes for any office shall be deemed and declared to be elected to such office, and whenever two or more persons are to be elected to the same office the several persons, up to the number required to be chosen, receiving the highest

Certain officers to be elected by ballot.

Vacancy, etc.

number of votes shall be deemed and declared to be elected. If it shall appear that there is no choice of a mayor, or if the person elected mayor shall refuse to accept the office, or shall die before qualifying, or if a vacancy in said office shall occur more than three months previous to the expiration of the municipal year, the board of aldermen shall forthwith call meetings for a new election, and the same proceedings shall be had in all respects as hereinbefore provided for the election of a mayor, and shall be repeated until the election of a mayor is completed. If the full number of members of the board of aldermen has not been elected, or if a vacancy in the office of alderman shall occur more than six months previous to the expiration of the municipal year, the board of aldermen may forthwith elect some person or persons to fill the vacancy or vacancies until the next municipal election. In case a vacancy in the office of mayor shall occur within the three months previous to the expiration of the municipal year the board of aldermen may in its discretion call meetings for the holding of a new election as aforesaid to fill the vacancy. In case of a vacancy in the office of city clerk or city treasurer the board of aldermen shall elect a city clerk or city treasurer to fill such vacancy until the next municipal year; and in case of any disability in the city clerk or in the city treasurer to perform the duties required by this act or by law the board of aldermen shall elect a city clerk or city treasurer pro tempore. In each of such cases the city clerk or city treasurer shall be sworn and shall perform such duties.

Meetings for election of national, state, etc., officers.

SECTION 7. All meetings for the election of national, state, county and district officers shall be called by order of the board of aldermen, in the same manner as meetings for municipal elections are called.

General meetings of qualified voters.

SECTION 8. General meetings of the citizens qualified to vote may from time to time be held, according to the right secured by the constitution of the Commonwealth, and all such meetings may, and upon the request in writing of fifty qualified voters, setting forth the purposes thereof, shall be duly called by the board of aldermen.

TITLE 3. — LEGISLATIVE DEPARTMENT.

Board of aldermen, election, terms of office, etc.

SECTION 9. The board of aldermen shall be composed of fourteen members at large and one member from each ward of the city, who shall be elected as follows: — At

the first municipal election held under this act said fourteen members at large of the board of aldermen shall be elected by the qualified voters of the entire city, seven to serve for the term of two years and seven to serve for the term of one year beginning with the first Monday in January then next ensuing, and thereafter seven members at large of said board of aldermen shall be elected in like manner at each annual municipal election, to serve for the term of two years beginning with the first Monday in January next ensuing. At said first municipal election one member of the board of aldermen from each ward shall be elected by and from the voters of each ward, to serve for the term of one year beginning with the first Monday in January next ensuing, and thereafter one member of the board of aldermen from each ward shall be elected by and from the voters of each ward at each annual municipal election, to serve for the term of one year beginning with the first Monday in January next ensuing. At said first municipal election no voter shall vote for more than five of the candidates for members at large of the board of aldermen to be elected for each term, that is to say, not more than ten of said candidates for members at large in the aggregate on one ballot, and the seven candidates for members at large of said board having the highest number of votes for each term shall be declared elected. At all municipal elections subsequent to the said first municipal election no voter shall vote for more than five of the candidates for members at large of the board of aldermen to be elected at an annual municipal election on one ballot, and the seven candidates for members at large of the board having the highest number of votes shall be declared elected. The members at large of the board of aldermen shall hold office for two years, except as herein otherwise provided, and the members of the board of aldermen from the wards shall hold office for one year beginning with the first Monday in January next succeeding their election and until their successors shall be elected and qualified. In case it should become necessary to fill at an election a vacancy or vacancies in the board of aldermen a voter may vote for the alderman necessary to fill such vacancy or vacancies, in addition to the number to be voted for as above-provided.

Board of aldermen, election, terms of office, etc.

SECTION 10. The mayor elect and the aldermen elect shall, on the first Monday in January, at ten o'clock in the

Oath of office of mayor and aldermen.

Oath of office
of mayor and
aldermen.

forenoon, meet and be sworn to the faithful discharge of their duties. The oath shall be administered by the city clerk, or in his absence by any justice of the peace, and a certificate that such oath has been taken shall be entered in the journal of the board of aldermen. In case of the absence of the mayor elect on the first Monday in January, or if a mayor shall not then have been elected, the oath of office may at any time thereafter be administered to him, and at any time thereafter in like manner the oath of office may be administered to any member of the board of aldermen who has been previously absent or who has been subsequently elected, and a certificate of every such oath shall be entered in the journal aforesaid.

Organization
of board of
aldermen, etc.

SECTION 11. After the oath has been administered to the aldermen present they shall be called to order by the city clerk, or in case of the absence of the city clerk by the oldest senior member present. The board of aldermen shall then proceed to elect by ballot one of their own number president of the board. If no quorum is present an adjournment shall be taken to a later hour or to the next day, and thereafter the same proceedings shall be had from day to day until a quorum shall be present. If any person receives the votes of a majority of all the members of the board such person shall be declared chosen president thereof. If on the first day on which a quorum is present no person receives the votes of such majority they shall proceed to ballot until some person receives the votes of such majority or an adjournment to the succeeding day is taken. And on such succeeding day the plurality of those voting shall be sufficient for an election. No other business shall be in order until a president is chosen. The president shall be sworn by the city clerk, or in case of the absence of such clerk by any justice of the peace. The president may be removed from the presidency of the board of aldermen by the affirmative vote of two thirds of all the members thereof, taken by roll call. The president of the board shall have the same right to vote as any other member thereof.

Special meet-
ings of board
of aldermen.

SECTION 12. The mayor may at any time call a special meeting of the board of aldermen by causing written notifications thereof, together with a statement of the subjects to be considered thereat, to be deposited in the post office, postpaid and addressed to the persons to be notified, or left at the usual place of residence of each member of the

board, at least twenty-four hours before the time appointed for such meeting.

SECTION 13. The board of aldermen shall determine the rules of its own proceedings and shall be judge of the election and qualifications of its own members. In case of the absence of the president the board shall choose a president pro tempore, and a plurality of the votes cast shall be sufficient for a choice. The board shall sit with open doors, whether in session as a board of aldermen or as a committee of the whole, and shall cause a journal of its proceedings to be kept, which journal shall be open to public inspection. The vote of the board upon any question shall be taken by roll call when the same is requested by at least three members. A majority of the members of the board shall be required to constitute a quorum, but a smaller number may adjourn from day to day. The board shall, so far as is not inconsistent with this act, have and exercise all the legislative powers of towns and of the inhabitants thereof, and shall have and exercise all the powers now vested by law in the city of Holyoke and in the inhabitants thereof, as a municipal corporation, and be subject to all the liabilities of city councils, and of either branch thereof, under the general laws of the Commonwealth, and it may by ordinance prescribe the manner in which such powers shall be exercised. Its members shall receive no compensation for their services as members of the board of aldermen or of any committee thereof.

To determine rules of its proceedings, be judge of election of its members, etc.

Quorum, etc.

SECTION 14. Neither the board of aldermen nor any member or committee thereof shall directly or indirectly take part in the employment of labor, the making of contracts, the purchasing of materials or supplies, the construction, alteration or repairs of any public works, buildings or other property, or the care, custody or management of the same; or in the conduct of any of the executive or administrative business of the city, or in the expenditure of public money, except as herein otherwise provided and except such as may be necessary for the contingent and incidental expenses of the board of aldermen; nor in the appointment or removal of any officers except as is herein otherwise provided. But nothing in this section contained shall affect the powers or duties of the board in relation to city aid to disabled soldiers and sailors and to the families of those killed in the civil war.

Not to take part in employment of labor, making of contracts, etc.

Aid to disabled soldiers and sailors, etc.

Board of aldermen to elect certain officers by ballots, etc.

Removals, etc.

Proviso.

Appropriations, expenditures, etc.

SECTION 15. The board of aldermen shall annually in the month of January elect by ballot a city auditor, a city physician, and a city messenger, each of whom shall hold his office for the term of one year beginning with the first Monday in February in the year of his election and until his successor is elected and qualified, unless sooner removed. Said board of aldermen shall also in the month of January in the year eighteen hundred and ninety-seven, and in the month of January in every third year thereafter, elect by ballot a collector of taxes, and a city almoner, each of whom shall hold his office for the term of three years beginning with the first Monday in February in the year of his election and until his successor is elected and qualified, unless sooner removed. Said board of aldermen shall also annually in the month of January elect by ballot one assessor of taxes, one water commissioner, and one overseer of the poor, each of whom shall hold his office for the term of three years beginning with the first Monday in February in the year of his election and until his successor is elected and qualified, unless sooner removed. Any of said officers may be removed at any time by the board of aldermen for sufficient cause. The present city physician, assessors of taxes, water commissioners, and overseers of the poor shall continue to hold their respective offices, unless sooner removed, for the term of two years from the first Monday in February in the year following their election: *provided, however,* that the water commissioner elected in the year eighteen hundred and ninety-six to fill a vacancy shall continue to hold his office, unless sooner removed, until the first Monday in February in the year eighteen hundred and ninety-seven. Vacancies in city offices, where no other provision is made for filling the same, shall be filled by the election or appointment of a successor in the same manner as the previous incumbent was elected or appointed, and the person elected or appointed to fill the vacancy shall hold his office for the remainder of the term during which his predecessor would have been entitled to hold the same.

SECTION 16. The board of aldermen shall appropriate annually, in the month of March or in the month of April, the amount necessary to meet the expenditures of the city for the current municipal year. It shall take care that no money is paid from the treasury unless granted and appro-

priated, and shall secure a just and proper accountability by requiring bonds with sufficient penalties and sureties from all persons intrusted with the receipt, custody or disbursement of money. It shall, as often as once in each year, ten days at least prior to the annual election, cause to be published for the use of the inhabitants a complete account of the receipts and expenditures of said city, and a schedule of all the city property and of the city debt.

Account of receipts and expenditures to be published, etc.

SECTION 17. The board of aldermen shall have the power within said city to make and establish ordinances and to affix thereto penalties for the violation thereof, as herein or by general law provided, without the sanction of any court or justice thereof.

City ordinances, penalties.

SECTION 18. The board of aldermen shall not authorize the erection of a schoolhouse, or of any addition thereto, nor pass any appropriation for such purposes, until the location and plans of the same have been approved by vote of the school committee, and such approval has been certified in writing to the board of aldermen by the secretary of said committee.

Location and plans of schoolhouses to be approved by school committee.

SECTION 19. The board of aldermen shall establish a fire department for said city, to consist of three fire commissioners, a chief, and of such officers and members, including a superintendent of the fire alarm telegraph system, as the board of aldermen shall from time to time prescribe. And said fire commissioners shall have authority to define the rank and duties of said officers and members, and in general to make such regulations concerning the conduct and government of such department, the management of fires and the conduct of persons attending fires, as they may deem expedient, and may fix such penalties for any violation of such regulations, or any of them, as are provided for breach of the ordinances of said city. The mayor, exclusively, shall appoint three persons to be fire commissioners; one of said persons to be appointed in the month of January in each year, to hold office for the term of three years from the first Monday of January in the year of his appointment. The present fire commissioners shall continue to hold office, unless sooner removed, for two years from the first Monday of January next after their appointment. The appointment of all the officers and members of the fire department, including a superintendent of the fire alarm telegraph

Fire department.

system, who shall also be inspector of wires, shall be vested in the fire commissioners exclusively.

Fire limits may
be established,
etc.

SECTION 20. The board of aldermen shall have power to establish fire limits in the city, and from time to time change or enlarge the same, and by ordinance they may regulate the construction of all buildings erected within said fire limits, stipulating their location and size and the material of which they shall be constructed, and may make such other rules and regulations as shall tend to prevent damage by fire, provided that such rules and regulations shall not be inconsistent with the laws of this Commonwealth.

Police depart-
ment.

SECTION 21. The board of aldermen shall establish by ordinance a police department, consisting of a city marshal and of such subordinate officers and other members of the police force as it may prescribe, and may make regulations for the government of said department. The power of appointment of said city marshal, subordinate officers and members of the police force shall be vested in the mayor exclusively, and he shall have power to remove the members of the regular police force, after a due hearing, for such cause as he shall deem sufficient and shall express in the order of removal, and said order of removal shall be filed in the office of the city clerk for the inspection of the public. All the members of the present regular police force, except the chief of police or marshal, and such members as may hereafter be appointed, except the city marshal, shall hold office during good behavior, and be subject to removal in the manner above-provided. The mayor shall have the power to remove the city marshal at any time. So much of chapter three hundred and eighty-six of the acts of the year eighteen hundred and eighty-eight as is inconsistent herewith is hereby repealed.

Repeal.

Streets, high-
ways, etc.

SECTION 22. The board of aldermen shall, with the approval of the mayor, have exclusive authority and power to order the laying out, locating anew or discontinuing of all streets and ways and highways within the limits of the city, and to assess the damage sustained by any person thereby, and further, except as herein otherwise provided, to act in all matters relating to such laying out, locating anew, altering or discontinuing. Any person aggrieved by the assessment of his damages, or other action of the board of aldermen under this section, shall have all the rights and privileges now allowed by law in such cases in appeals from decisions of the selectmen of towns.

Any ordinance, order, resolution or vote involving the appropriation or expenditure of money to an amount which may exceed two hundred dollars, shall require for its passage the affirmative votes of a majority of all the members of the board of aldermen. Every such ordinance, order, resolution or vote shall be read twice, with an interval of at least three days between the two readings, before being finally passed; and the vote at its final passage shall be taken by roll call: *provided, however*, that upon and after the written recommendation of the mayor the board of aldermen may pass such ordinance, order, resolution or vote on the same day by a two thirds yea and nay vote.

Majority vote of all members required for the passage of certain ordinances, etc.

Proviso.

SECTION 23. No member of the board of aldermen shall, during the term for which he is elected, hold any other office in or under the city government, have the expenditure of any money appropriated by the board of aldermen, or act as counsel in any matter before the board of aldermen or any committee thereof; and no person shall be eligible for appointment to any municipal office established by the board of aldermen during any municipal year within which he was an alderman, until the expiration of the succeeding municipal year.

Members of board of aldermen not to hold other city office, etc.

SECTION 24. Every ordinance, order, resolution or vote of the board of aldermen, except such as relates to its own internal affairs, to its own officers or employees, shall be presented to the mayor. If he approve thereof he shall signify his approval by signing the same, but if not he shall return the same with his objections to the board of aldermen, who shall enter the objections of the mayor, at length, upon its records, and proceed to reconsider said ordinance, order, resolution or vote, and if after such reconsideration two thirds of the board of aldermen, notwithstanding such objections, vote to pass the same, it shall be in force. In all cases the vote shall be taken by yeas and nays. If such ordinance, order, resolution or vote shall not be returned within ten days after it shall have been presented to the mayor the same shall be in force. He may except from his approval of any ordinance, order, resolution or vote of which he has the power of veto any portion involving a distinct item of expenditure; and in such case instead of returning the original he shall transmit a copy of such portion not approved, which portion shall be reconsidered in the manner and with the effect above-provided. The veto power of the mayor shall not extend to elections.

Certain ordinances subject to approval by the mayor.

TITLE 4. — EXECUTIVE DEPARTMENT.

Executive powers vested in mayor, etc.

Term of office.

Appointment and removal of municipal officers.

By whom duties may be performed in case of disability of mayor.

SECTION 25. The executive powers of the city shall be vested solely in the mayor, and may be exercised by him either personally or through the several officers or boards of the city in their departments, under his general supervision and control. In case of any vacancy in any office to which appointment is made by the mayor he may personally perform the duties thereof, but he shall not be entitled to receive any salary or pay attached thereto. The mayor shall hold office for the municipal year beginning with the first Monday in January next following his election and until his successor is elected and qualified.

SECTION 26. The mayor shall have the sole power of appointment to all the municipal offices established by or under this act, unless herein otherwise provided, and he may, except as herein otherwise provided, remove from office by written order any officer so appointed hereunder for any cause which he shall in his official discretion deem sufficient, which cause he shall assign in his order of removal. Such office shall become and be vacant upon the filing with the city clerk of such order of removal and the serving of a copy thereof upon the officer so removed, either personally or by leaving the same at his last or usual place of residence. The clerk shall keep such order of removal on file, where it shall be open to public inspection. Upon the petition of any person whose removal from office has been ordered by the mayor, addressed to any justice of the superior court, the action of the mayor in removing such person may be reviewed by such justice, who may affirm the order of the mayor or may reverse the same and order the petitioner reinstated in his office.

SECTION 27. Whenever by reason of sickness or other cause the mayor shall be disabled from performing the duties of his office he may designate by a writing filed in the office of the city clerk, either the city clerk, or the city treasurer, to act as mayor, or in case of the failure of the mayor to make such designation the above-mentioned officers in the order above-named then performing the duties of their office shall act as mayor. Such officer shall during the continuance of such disability have all the rights and powers of mayor, except that he shall not when so acting have the power of removal, unless thereto in any instance authorized by vote of the board of alder-

men, nor any power of appointment, unless such disability of the mayor has continued for a period of thirty days, and then subject to the approval of the board of aldermen, nor power to approve or disapprove any ordinance, order, resolution or vote until within twenty-four hours of the time when it would take effect without the approval of the mayor. In case of such disability of the mayor continuing for a period exceeding sixty days the board of aldermen may at any time after the expiration of that period declare a vacancy to exist in the office of mayor.

SECTION 28. Whenever there shall be a vacancy in the office of mayor the president of the board of aldermen shall act as mayor, and possess all the rights and powers of mayor during such vacancy, except that when so acting as mayor he shall not have the power of appointment or removal unless thereto in any instance authorized by vote of the board of aldermen.

President of board of aldermen to act in case of vacancy in office of mayor.

TITLE 5. — SCHOOL DEPARTMENT.

SECTION 29. The management and control of the public schools of said city shall be vested in a school committee, consisting of nine persons, two of whom shall be chosen from the city at large and one by and from the voters of each ward. At the annual municipal election held in the year eighteen hundred and ninety-six there shall be elected one member of the school committee from each of the following wards, namely: — Wards two, four and six, to serve for the term of three years beginning with the first Monday in January next ensuing; at the annual municipal election held in the year eighteen hundred and ninety-seven there shall be elected one member of the school committee from the city at large and one member of the school committee from each of the following wards, namely: — Wards one and three; and at the annual municipal election held in the year eighteen hundred and ninety-eight there shall be elected one member of the school committee at large and one from each of the following wards, namely: — Wards five and seven; and at each annual municipal election thereafter there shall be elected three members of the school committee who shall hold their offices for the term of three years beginning with the first Monday in January next succeeding such election, as successors of those whose terms of office expire on said first Monday in January. Each of the

School committee, election, terms, etc.

present members of the school committee shall continue to hold his office for the term of three years beginning with the first Monday in January next after his election.

Vacancies on
school commit-
tee.

SECTION 30. In case of a vacancy in or non-election to the office of a member of the school committee the mayor shall call a joint convention of the board of aldermen and of the school committee, and such vacancy shall, by vote of a majority of all members of the two bodies, be filled by the election of a member according as the vacancy or non-election exists, to serve until the end of the municipal year in which the order calling the next annual municipal election shall be passed; at such election the further vacancy, if any, shall be filled for the remainder of the unexpired term, in the same manner as the member whose office is vacant was elected. The school committee shall meet on the first Tuesday in January in each municipal year and shall at such meeting, or as soon thereafter as may be, choose by ballot a chairman from among its members, and the votes of a majority of all the members of the school committee shall be required in order to elect. The mayor may be present at all sessions of the school committee, and when present he may participate in the discussions and may preside, but shall have no right to vote. The committee shall be the judge of the election and qualification of its members and shall determine the rules of its proceedings. A majority of the whole number provided to be elected shall constitute a quorum for the transaction of business, but a smaller number may adjourn from time to time.

Organization.

Mayor may be
present at ses-
sions, etc.

Quorum.

Superintendent
of schools,
election, etc.

SECTION 31. The school committee may elect a superintendent of schools, who shall also be its secretary, and may appoint such subordinate officers and assistants as it may deem necessary for the proper discharge of its duties and the conduct of its business, shall define their terms of service and fix their compensation, and may remove and discharge them at pleasure.

Powers and
duties of school
committee, etc.

SECTION 32. The school committee shall exercise the powers and discharge the duties imposed by law upon school committees. All orders, resolutions or votes of the school committee, except those fixing salaries, which involve the expenditure of money, shall be presented to the mayor for his approval, and thereupon the same proceedings shall be had by the mayor and school committee as are provided in section twenty-four of this act to be

had by the mayor and board of aldermen; but nothing in this act contained shall affect the powers and duties of the committee in relation to votes cast at elections. The school committee shall in the month of January in each year submit to the mayor an estimate in detail of the amount deemed by it necessary to expend for its purposes during the current financial year, and the mayor shall transmit the same with the estimates of the departments to the board of aldermen, and shall recommend such appropriation as he shall deem necessary.

To submit an annual estimate of expenses.

SECTION 33. The school committee shall be the original judges of the expediency and necessity of having additional or improved accommodations for any public school within the limits of the city; and whenever in their opinion a schoolhouse is required or material alterations are needed they shall send a communication to the board of aldermen, stating the locality and the nature of the further provisions for schools which are needed.

To be judges of necessity of additional accommodations, etc.

TITLE 6. — ADMINISTRATIVE OFFICERS.

SECTION 34. There shall be the following administrative officers, who shall be appointed by the mayor and who shall perform the duties by law and hereinafter prescribed for them respectively, and such further duties, not inconsistent with the nature of the respective offices, as the board of aldermen may from time to time prescribe. I. — A board of public works, consisting of three persons. II. — Three fire commissioners. III. — A city solicitor. IV. — A city marshal. V. — A board of health, consisting of three persons, one of whom shall be a doctor of medicine. VI. — A city engineer, who shall be clerk of the board of public works and shall keep the accounts of all departments under the management and control of said board. VII. — An inspector of public buildings. The three persons who shall constitute the board of public works shall be appointed in the month of January in the year eighteen hundred and ninety-seven, one for three years, one for two years, and one for one year, beginning with the first Monday in January in said year, unless sooner removed, and until their successors are appointed and qualified; and thereafter annually in the month of January the mayor shall appoint one person to be a member of the board of public works, who shall hold his office for the term of three years beginning with the first Mon-

Administrative officers, appointment, terms, duties, etc.

Administrative
officers, ap-
pointment,
terms, duties,
etc.

day in February in the year of his appointment, unless sooner removed, and until his successor is appointed and qualified. The board of public works shall appoint a superintendent of outdoor work, who shall hold no other office, and he shall not be a member of said board; he shall hold his office for one year unless sooner removed by said board, and until his successor is appointed and qualified. Each of the present members of the board of health shall continue to hold his office for the term of two years from the first Monday in February in the year of his appointment, unless sooner removed, and until his successor is appointed and qualified. In the month of January in the year eighteen hundred and ninety-seven the mayor shall appoint one person to be a member of the board of health, who shall hold his office for the term of three years beginning with the first Monday in February in the year of such appointment, unless sooner removed, and until his successor is appointed and qualified, and thereafter annually in the month of January the mayor shall appoint, subject to the provision respecting a doctor of medicine, a member of the board of health, who shall hold his office for the term of three years beginning with the first Monday in February in the year of such appointment, unless sooner removed, and until his successor is appointed and qualified. The city engineer elected in the year eighteen hundred and ninety-six shall continue to hold his office for the term of three years beginning with the first Tuesday in February in the year eighteen hundred and ninety-six, unless sooner removed, and until his successor is appointed and qualified. In the month of January in the year eighteen hundred and ninety-nine the mayor shall appoint a city engineer, who shall hold his office for the term of three years beginning with the first Tuesday of February in the year of such appointment, unless sooner removed, and until his successor is appointed and qualified, and thereafter the mayor shall appoint, every third year, in the month of January, a city engineer, who shall hold his office for the term of three years beginning with the first Tuesday of February in the year of such appointment, unless sooner removed, and until his successor is appointed and qualified. The city solicitor and city marshal shall be appointed by the mayor annually in the month of January, and each shall hold his office for the term of one year beginning with the first Monday of January in the

year of his appointment, unless sooner removed, and until his successor is appointed and qualified. They shall be sworn or affirmed to the faithful discharge of the duties of their respective offices, and the oath or affirmation, or a certified copy thereof, shall be filed in the office of the city clerk. The inspector of public buildings shall be appointed by the mayor in the month of January in the year eighteen hundred and ninety-seven, and in the month of January in every third year thereafter, and shall hold his office for the term of three years beginning with the first Monday in February in the year of his appointment, unless sooner removed, and until his successor is appointed and qualified.

Oath of office,
etc.

TITLE 7. — POWERS AND DUTIES OF OFFICERS.

SECTION 35. The city clerk shall have charge of all journals, records, papers and documents of the city, and do such other acts in his said capacity as the board of aldermen may require of him. He shall be the clerk of the board and shall keep a journal of all votes and proceedings. He shall engross all the ordinances passed by the board of aldermen in a book provided for that purpose, and shall add proper indexes; which book shall be deemed a public record of such ordinances. He shall perform such other duties as are required by law or shall be prescribed by the board of aldermen.

City clerk,
duties, etc.

SECTION 36. The city auditor shall keep a set of books showing the expenditures of the various departments of the city and showing the receipts credited to such departments. He shall examine all pay rolls, bills or demands rendered against the city, and all orders or votes of the board of aldermen for the payment of money, and shall see that they have been incurred with due authority, that they are properly approved by some person authorized thereto, and that the clerical computations are correct. He shall see that vouchers are prepared in proper form and that the same are duly recorded and distributed to their proper account. If he approves of a pay roll, bill or demand he shall endorse it with his certificate of approval, and shall cause an abstract of the same to be entered on a book kept for that purpose, and shall pass it to the treasurer for payment. He shall perform such other duties as from time to time shall be assigned him by the board of aldermen. In case of the disability or absence of the auditor the presi-

City auditor,
duties, etc.

Auditor pro
tempore.

dent of the board of aldermen shall appoint an auditor pro tempore, who shall be duly qualified.

Board of
public works,
powers, duties,
etc.

SECTION 37. The board of public works shall have cognizance, direction and control: (a) Of the construction, location, repair, care and lighting of streets, ways and sidewalks; (b) of the construction, alteration, repair and care of public buildings; (c) of the construction, alteration, repair and care of main drains or common sewers; (d) of the construction, alteration, repair, care and maintenance of public bridges; (e) of the care, superintendence and management of the public grounds, except public parks, belonging to said city, and of the shade and ornamental trees growing therein. The said board may require that no person or corporation authorized by the board of aldermen to dig up any public street or sidewalk in said city shall begin such digging before furnishing to such board of public works security satisfactory to them to restore such streets or sidewalks to their former condition. The said board of public works, except as herein otherwise provided, shall have exclusively the powers and be subject to the liabilities and penalties imposed by law upon road commissioners of towns.

City treasurer,
powers and
duties.

SECTION 38. The city treasurer shall collect and receive all assessments for sewers and drains, and all other assessments that may be duly levied. He shall collect all moneys due the city, except taxes, water charges or water rents, and shall receive, have the custody of and pay out all moneys upon the certificate or written order of the mayor and the auditor, and shall cause an accurate account of the same to be kept in proper bookkeeping form, or in such form as the board of aldermen may prescribe. He shall, once in six months, or oftener if required, lay before the board of aldermen a detailed statement of the condition of the treasury and of all moneys received and paid by him on city accounts during the preceding six months, and in every such statement the different sources of the city revenues, and the amounts received from each, the several appropriations made, the objects for which they were made and the amount of moneys expended under each, the money borrowed on the credit of the city, the authority under which each loan was made and the terms on which the same was obtained shall be clearly and particularly specified.

City solicitor,
powers and
duties.

SECTION 39. The city solicitor shall perform all legal services in which the city is interested and attend to all

proceedings at law or in equity to which the city is a party, and to all claims made to the board of aldermen. For these purposes he shall have sole charge of all such matters and proceedings. He shall give in writing his legal opinion upon any of the municipal affairs of the city, upon the request of the mayor or board of aldermen, and in addition shall give his opinion upon the law relating to municipal affairs in any department, upon request made by the head of such department.

SECTION 40. The city engineer shall give his whole time to the city and shall have sole charge and control of and shall attend to all the engineering work of the city. He shall, at the request of the board of public works, prepare plans and estimates of any proposed alterations in, or construction of, main drains or common sewers, and conduits, streets, sidewalks and other public works, except the water works, and he shall, at the request of the board of water commissioners, perform all such services respecting the water works of the city as are proper for a civil engineer to perform. He shall assist the city solicitor as far as possible in defending the city against suits and claims brought against it for damages sustained by reason of any defect or want of repairs in any public way, or for any cause whatever. He shall perform such other duties as the board of aldermen may prescribe, not inconsistent herewith.

City engineer,
powers and
duties.

SECTION 41. The city almoner shall keep a record of the settlements of all paupers or persons who are or who may become a city charge, and shall, under the direction of and by the authority of the overseers of the poor, relieve the wants of such paupers outside the almshouse as may be necessary and proper. He shall, as aforesaid, see that paupers who are chargeable to other cities and towns are maintained by such cities and towns at their own expense, and that the city shall be reimbursed for outlays made for the paupers chargeable to the Commonwealth or other cities or towns. He shall, under the direction of the overseers of the poor, report all cases needing legal attention to the city solicitor, and shall furnish him with all the information possible in controversies arising over pauper settlements or otherwise. He shall perform such other duties as the overseers of the poor or the board of aldermen by ordinance may from time to time prescribe.

City almoner,
powers and
duties.

Duties of other city officers.

SECTION 42. All city officers not hereinbefore mentioned shall perform such duties as are or may be from time to time prescribed by law, and such other duties not inconsistent herewith or with the general laws as the board of aldermen may from time to time prescribe.

Administrative officers may appoint or remove clerks, etc.

SECTION 43. The administrative officers and boards above-named in this title, and all administrative officers and boards hereafter established by the board of aldermen, not coming within the department of any officer or board so above-named, shall have the power, except as herein otherwise provided, to appoint or employ or remove or discharge all officers, clerks and employees in their respective departments. Such appointments shall not be for any specified term, but shall hold good until removal or discharge. Orders of removal shall state the reason therefor and shall be entered upon the records of the officer or board making the same, and removals shall take effect upon the filing of a copy of such order with the city clerk in a book provided for that purpose and open to public inspection. The above-named administrative officers and boards shall, in their respective departments, make all necessary contracts for work and for the furnishing of materials and supplies in the city, and for the construction, alteration, repair and care of public works, institutions, buildings and other property, except the water works, which shall continue to be under the management, direction and control of the water commissioners, and shall have, subject to the mayor, the direction and control of all the executive and administrative business of the city. They shall at all times be accountable to the mayor as the chief executive officer, for the discharge of their duties.

May make necessary contracts, etc.

To keep a record of official transactions.

SECTION 44. Every board and every officer above-named of the board shall keep a record of all official transactions, and such record shall be open to public inspection.

TITLE 8. — GENERAL PROVISIONS.

Certain persons not eligible.

SECTION 45. No person shall be eligible to any of the offices of the city government, except superintendent of schools, unless he is a citizen and has been a resident of the city for at least two years.

Offices to become vacant under certain conditions.

SECTION 46. Any office established under or by this act, except the office of superintendent of schools, shall become vacant if the incumbent ceases to be a resident of

the city. The conviction of the incumbent of any such office of a crime punishable by imprisonment shall operate to create a vacancy in the office held by him.

SECTION 47. The administrative officers and boards above-named shall annually on or before the first Monday of January furnish to the mayor an itemized and detailed estimate of the moneys required for their respective departments or offices during the ensuing financial year. The mayor, president of the board of aldermen and chairman of the board of assessors shall examine such estimates and shall submit the same to the board of aldermen on or before the first day of March, with their itemized and detailed apportionment; and said board of aldermen shall thereafter on or before the first day of May next following fix by order or otherwise the appropriations for the several departments and offices to be expended during the current municipal year.

Estimates of expenses, etc.

SECTION 48. Every officer of the city shall at the request of the board of aldermen give it such information in writing as it may require in relation to any matter, act or thing connected with his office or employment or with the discharge of the duties thereof.

Officers to give certain information upon request, etc.

SECTION 49. No sum appropriated for a specific purpose shall be expended for any other purpose, and no expenditure shall be made nor liabilities incurred by or in behalf of the city until an appropriation has been duly voted by the board of aldermen, sufficient to meet such expenditure or liability, together with all prior unpaid liabilities which are payable out of such appropriation, except in accordance with the recommendation of the mayor to the board of aldermen, approved by the yeas and nay vote of two thirds of the board: *provided, however*, that after the expiration of the financial year and until the passage of the annual appropriations liabilities payable out of a regular appropriation to be contained therein may be incurred to an amount not exceeding one third of the total of such appropriation for the preceding year. Every bill, pay roll or other voucher covering an expenditure of money shall be approved by the signatures on the back of such bill or voucher of the majority of the board or committee having control of or incurring such expenditure, and after such approval such bills, pay rolls or vouchers shall be turned over to the auditor. The financial year shall begin with the first day of December in each year.

Appropriations, expenditures, etc.

Proviso.

Financial year.

Civil service.

SECTION 50. Nothing herein contained shall affect the enforcement of the provisions of chapter three hundred and twenty of the acts of the year eighteen hundred and eighty-four, being "An Act to improve the civil service of the Commonwealth and the cities thereof", and acts in amendment thereof and in addition thereto, or of the rules made by the commissioners appointed thereunder; and the board of aldermen shall make sufficient and proper appropriations for the carrying out and enforcement of said acts and such rules in said city.

Proposals for supplies, etc.

SECTION 51. Whenever mechanical or other work is required to be done, or supplies are required for the city, at a cost amounting to five hundred dollars or more, the board or committee having the matter in charge shall invite proposals therefor by advertisements in not more than three newspapers published in said city, such advertisements to state the time and place for opening the proposals in answer to said advertisements, and reserving the right to said board or committee to reject any or all proposals. Every proposal for doing such work or making such sale shall be accompanied by a suitable bond or certified bank check for the faithful performance of such proposal, and all such proposals shall be kept by the officer or board inviting the same, and shall be open to public inspection after said proposals have been accepted or rejected.

Certain contracts to be approved by mayor, etc.

SECTION 52. All contracts made by any department of the city shall, when the amount involved is five hundred dollars or more, be in writing, and no such contract shall be deemed to have been made or executed until the approval of the mayor is affixed thereto. All such contracts shall be accompanied by a bond, with sureties satisfactory to the board or committee having the matter in charge, or by a deposit of money or other security for the faithful performance of such contracts; and such bonds or other security shall be deposited with the city auditor until the contract has been carried out in all respects; and no such contract shall be altered except by a written agreement of the contractor, the sureties on his or their bond, and the officer making the contract, with the approval of the mayor affixed thereto.

Loans, bonds, notes, etc.

SECTION 53. No loan except such as may be incurred in anticipation of taxes shall be made, except upon and after the written recommendation of the mayor, made to

the mayor and aldermen and passed by a two thirds ye and nay vote. All bonds and notes issued by the city shall be signed by the treasurer and countersigned by the mayor, and any coupons attached thereto shall bear the signature of the treasurer, either in the original or a facsimile.

SECTION 54. All salaries of city officers or heads of departments shall, except as is herein otherwise provided, be established by ordinance by the board of aldermen. Salaries of city officers, etc.

SECTION 55. Nothing contained herein shall be construed to affect the authority, power, privileges, rights and obligations created and given by any special act of the general court, and now vested in and exercised by the city of Holyoke, unless specially mentioned in this act. Certain authority, etc., not affected.

SECTION 56. All acts and parts of acts inconsistent with this act are hereby repealed: *provided, however*, that the repeal of the said acts shall not affect any act done or any right accruing or accrued or established, or any suit or proceeding had or commenced in any civil case before the time when such repeal shall take effect; and that no offence committed and no penalty or forfeiture incurred under the acts hereby repealed, and before the time when such repeal shall take effect, shall be affected by the repeal; and that no suit or prosecution pending at the time of the said repeal, for any offence committed or for the recovery of any penalty or forfeiture incurred under the acts hereby repealed, shall be affected by such repeal; and *provided, also*, that all persons who at the time when the said repeal shall take effect shall hold office under the said acts, shall continue to hold the same according to the tenure thereof, and *provided, also*, that all the by-laws and ordinances of the city of Holyoke which shall be in force at the time when the said repeal shall take effect, and which are not inconsistent with the provisions of this act, shall continue in force until the same are repealed by the board of aldermen, and all officers elected under such by-laws and ordinances shall continue in office according to the tenure thereof. Repeal. Provisions.

SECTION 57. No act which has been heretofore repealed shall be revived by the repeal of the acts mentioned in the preceding section. Certain acts not revived.

SECTION 58. This act shall be submitted to the qualified voters of the city of Holyoke for acceptance at a special election to be held within sixty days from its Submission of question of acceptance.

passage; and the city clerk shall, not less than one week before said election, transmit by mail or otherwise to every registered voter in said city a copy of this act. The vote shall be taken by ballot in answer to the following question: — Shall an act passed by the general court in the year eighteen hundred and ninety-six entitled “An Act to revise the Charter of the city of Holyoke”, be accepted? In case this act is not accepted by the voters of said city at its first submission under this section it shall be submitted a second time to said voters at the annual state election in the year eighteen hundred and ninety-six, and the vote shall be taken by ballot in answer to the question above-stated.

Yes.	
No.	

When to take effect.

SECTION 59. So much of this act as authorizes and directs the submission of the question of its acceptance to the qualified voters of said city shall take effect upon its passage; so much hereof as relates to elections hereunder shall apply to the annual municipal election to be held on the second Tuesday of December in the year eighteen hundred and ninety-six if the larger number of votes upon the question of its acceptance is in the affirmative, and if so accepted this act shall take full effect on the first Monday of January next ensuing.

Approved May 27, 1896.

Chap. 439 AN ACT RELATIVE TO THE PAYMENT BY THE COMMONWEALTH OF THE EXPENSES APPORTIONED TO IT IN THE ABOLITION OF GRADE CROSSINGS.

Be it enacted, etc., as follows:

1890, 423, § 10, amended.

SECTION 1. Section ten of chapter four hundred and twenty-eight of the acts of the year eighteen hundred and ninety is hereby amended by inserting after the word “dollars”, in the sixth line, the words: — *provided*, that if in any year the expenditure by the Commonwealth under the provisions of this act shall not amount to five hundred thousand dollars the unexpended balance thereof shall be added to the five hundred thousand dollars allowed to be paid by the Commonwealth during any subsequent year, — so as to read as follows: — *Section 10.* The amount to be paid under the provisions of this act by the Commonwealth in any one year (the year beginning with the passage of this act), shall not exceed five hundred thousand dollars, and the total amount to be paid by the Commonwealth under the provisions of this act shall not exceed

Amount to be paid by the Commonwealth for abolition of grade crossings.

five million dollars: *provided*, that if in any year the expenditure by the Commonwealth under the provisions of this act shall not amount to five hundred thousand dollars the unexpended balance thereof shall be added to the five hundred thousand dollars allowed to be paid by the Commonwealth during any subsequent year; and the treasurer and receiver general of the Commonwealth shall pay the amount of cost allotted to the state from any money not otherwise appropriated, and is hereby authorized, when requested by the governor and council so to do, to issue and sell bonds from time to time, under such terms and conditions, and with a sinking fund for their redemption, as shall best promote the welfare of the Commonwealth.

SECTION 2. The difference between the amounts heretofore annually paid and the five hundred thousand dollars allowed to be annually paid by the Commonwealth under the provisions of section ten of chapter four hundred and twenty-eight of the acts of the year eighteen hundred and ninety may be paid at any time by the Commonwealth under the provisions of said act, in addition to the amounts already allowed to be expended.

Certain amount may be paid by the Commonwealth at any time, etc.

SECTION 3. The estimates of the amounts to be paid, and the computation of the amounts paid, by the Commonwealth under the provisions of said chapter four hundred and twenty-eight, shall not include the sums apportioned to cities and towns and advanced by the Commonwealth under the provisions of section seven of said chapter four hundred and twenty-eight, as amended by chapter two hundred and eighty-three of the acts of the year eighteen hundred and ninety-three and by chapter five hundred and forty-five of the acts of the year eighteen hundred and ninety-four.

Estimates of amounts to be paid, etc., not to include certain sums.

SECTION 4. This act shall take effect upon its passage.

Approved May 28, 1896.

AN ACT RELATIVE TO THE GRANTING OF LICENSES FOR THE SALE OF INTOXICATING LIQUOR IN TOWNS WHICH ARE SUMMER RESORTS.

Chap. 440

Be it enacted, etc., as follows:

SECTION 1. Section one of chapter two hundred and eighty of the acts of the year eighteen hundred and ninety-two is hereby amended by striking out the word "June", in the thirty-fifth line, and inserting in place thereof the

1892, 280, § 1, amended.

Granting of
licenses for the
sale of intoxic-
ating liquor
in certain towns
which are sum-
mer resorts.

word : — April, — so as to read as follows : — *Section 1.* The proviso contained in the last twelve lines of section one of chapter three hundred and forty of the acts of the year eighteen hundred and eighty-eight is hereby repealed, and the following is substituted therefor : — *provided*, that in towns having an increased resident population during the summer months the selectmen may, on or before the fifteenth day of May in any year, apply to the chief of the bureau of statistics of labor to have an enumeration made of the temporary or summer residents of such towns. The said chief upon being thus requested shall proceed to make such enumeration, from the twenty-third to the twenty-eighth day of June next following, under such rules as he shall establish. No person who has not been a resident of such town for a period of at least three days preceding the enumeration shall be regarded as a temporary or summer resident thereof. The chief of the bureau of statistics of labor is authorized to employ for this temporary service such number of persons as may be necessary, who shall in all cases be residents of the town, if suitable and competent persons can be found. If not then said chief may employ non-residents. The said chief shall report the total number of such temporary or summer residents to the selectmen of the town on or before the twenty-eighth day of June aforesaid. All expenses incurred in making this special enumeration of the inhabitants of any town shall be paid out of the state treasury. The state treasurer shall thereupon issue his warrant, as provided in section thirty-one of chapter eleven of the Public Statutes, requiring the assessors of such town to assess a tax to the amount of the expenses incurred in making this special enumeration, and the sum shall be collected and paid over to the state treasurer, in the same manner that other state taxes are levied and paid. The selectmen may, during the month of April, receive applications for such licenses and investigate and publish the same ; and may grant one such license for each five hundred of such temporary resident population, not including the permanent inhabitants of such town, as ascertained by said special enumeration, to take effect on the first day of July and to expire on the first day of October next following, but no such licenses shall be granted unless the town at its last annual town meeting has voted “Yes”, in answer to the question, “Shall licenses for the sale of

intoxicating liquor be granted in this town?"; *provided, further*, that no such special enumeration shall be made and no such special licenses shall be granted in towns having more than five thousand permanent residents, as ascertained by the last preceding state or national census.

SECTION 2. This act shall take effect upon its passage.

Approved May 28, 1896.

AN ACT TO REVISE THE CHARTER OF THE CITY OF GLOUCESTER. *Chap. 441*
Be it enacted, etc., as follows:

TITLE 1. — MUNICIPAL GOVERNMENT.

SECTION 1. The inhabitants of the city of Gloucester shall continue to be a body politic and corporate, under the name of the City of Gloucester, and as such shall have, exercise and enjoy all the rights, immunities, powers and privileges, and shall be subject to all the duties and obligations now pertaining to and incumbent upon the said city as a municipal corporation. City of Gloucester.

SECTION 2. The administration of all the fiscal, prudential and municipal affairs of said city, with the government thereof, shall be vested in an executive department which shall consist of one officer, to be called the mayor, and in a legislative department which shall consist of a single body, to be called the city council, the members whereof shall be called councilmen. The executive department shall never exercise any legislative power, and the legislative department shall never exercise any executive power. The general management and control of the public schools of said city shall be vested in a school committee. Administration of municipal affairs, etc.

SECTION 3. The territory of said city shall be divided into nine wards, as hereinafter provided, but said number, upon any subsequent division of said city into new wards, may be increased by an affirmative vote of a majority of the members of the city council passed prior to and in the year of such new division. Nine wards.

TITLE 2. — ELECTIONS AND MEETINGS.

SECTION 4. The municipal election shall take place annually on the first Tuesday of December, and the municipal year shall begin on the first Monday of January following. All meetings of the citizens for municipal purposes shall be called by warrants issued by order of the city council, which shall be in such form and be served Municipal election and municipal year, etc.

and returned in such manner and at such times as the council may by ordinance direct.

Mayor, councilmen and members of school committee to be elected by ballot, etc.

SECTION 5. At such municipal election the qualified voters shall give in their votes by ballot in the several wards for mayor, councilmen and members of the school committee then to be elected, and the person receiving the highest number of votes for any office shall be deemed and declared to be elected to such office; and whenever two or more persons are to be elected to the same office the several persons, up to the number required to be chosen, receiving the highest number of votes shall be deemed and declared to be elected. If it shall appear that there is no choice of mayor, or if the person elected mayor shall refuse to accept the office, or shall die before qualifying, or if a vacancy in said office shall occur more than three months previous to the expiration of the municipal year, the city council shall forthwith cause warrants to be issued for a new election, and the same proceedings shall be had in all respects as are hereinbefore provided for the election of mayor, and shall be repeated until the election of the mayor is completed. If the full number of members of the city council has not been elected, or if a vacancy in the office of councilman shall occur more than six months previous to the expiration of the municipal year, the council shall forthwith cause a new election to be held to fill the vacancy or vacancies.

Vacancy in office of mayor.

Vacancy in city council.

Meetings for election of national, state, etc., officers.

SECTION 6. All meetings for the election of national, state, county and district officers shall be called by order of the city council, in the same manner as meetings for municipal elections are called.

Ward meetings may be held in adjacent ward.

SECTION 7. The city council may, when no convenient wardroom for holding the meetings of the citizens of any ward can be had within the territorial limits of such ward, appoint and direct in the warrant for calling any meeting of the citizens of such ward that the meeting be held in some convenient place within the limits of an adjacent ward of the city; and for such purpose the place so assigned shall be deemed and taken to be a part of the ward for which the election is held.

General meetings of qualified voters.

SECTION 8. General meetings of the citizens qualified to vote may from time to time be held according to the right secured to the people by the constitution of this Commonwealth, and such meetings may and upon the request in writing of fifty qualified voters setting forth the purposes thereof shall be duly called by the city council.

TITLE 3. — THE LEGISLATIVE DEPARTMENT.

SECTION 9. The members of the city council shall consist of councilmen at large and councilmen from wards, and shall be elected annually as follows:— Eight councilmen at large shall be elected by and from the qualified voters of the city, and in voting for councilmen at large no voter shall vote for more than five, and the eight having the highest number of votes shall be declared elected; and three councilmen from each ward shall be elected by and from the qualified voters in each ward. The councilmen shall hold office for the municipal year beginning with the first Monday in January following their election and until a majority of the succeeding council shall be elected and qualified. They shall receive no compensation for their services.

City council,
election, term,
etc.

SECTION 10. The mayor elect and the councilmen elect shall annually on the first Monday in January, at twelve o'clock, noon, meet and be sworn to the faithful discharge of their duties. The oath shall be administered by the city clerk, or in case of his absence by any justice of the peace, and shall be duly certified on the journal of the city council. In case of the absence of the mayor elect on the first Monday in January, or if a mayor shall not then have been elected, the oath of office may at any time thereafter be administered to him in the presence of the council; and at any time thereafter in like manner the oath of office may be administered to any member of the council who has been previously absent, or has been subsequently elected; and every such oath shall be duly certified as aforesaid.

Oath of office
of mayor and
councilmen.

SECTION 11. After the oath has been administered to the councilmen present they shall be called to order by the city clerk, or in case of the absence of the clerk by the senior member present. The council shall then proceed to the election of a presiding officer, who shall be elected by a majority ballot of all the members of said council, from their own number. If no quorum is present an adjournment shall be taken to a later hour, or to the next day, and thereafter the same proceedings shall be had from day to day until a quorum is present. If on the first day on which a quorum is present no person receives the votes of such majority the roll call shall be repeated until some person receives the votes of such majority or an adjournment to the succeeding day is taken, and on such

City council,
organization,
etc.

succeeding day a plurality of those voting shall be sufficient for an election. No other business shall be in order until a president is chosen. The president shall be sworn by the city clerk, or in case of the absence of the clerk by any justice of the peace. The council shall then proceed to the choice of a clerk, in the same manner as above-provided for the choice of president, and no other business shall be in order until a clerk is chosen. The president and the clerk or either of them may be removed from office by a two thirds vote of all the members of the council, taken by roll call. The president of the council shall have the same right to vote as any other member thereof. The clerk of the council shall also be city clerk, but the two offices shall be independent. The clerk of the council shall keep a journal containing a record of the proceedings of the council and a record of all votes taken by roll call, and he shall engross, sign and attest all ordinances and resolutions of the council.

Special meetings of city council.

SECTION 12. The mayor may at any time call a special meeting of the city council by causing written notification thereof to be left at the usual place of residence of each member of the council, at least twenty-four hours before the time appointed for such meeting.

To determine rules of its proceedings, be judge of election of its members, etc.

SECTION 13. The city council shall determine the rules of its own proceedings and shall be the judge of the election, returns and qualifications of its own members. In case of the absence of the president the council shall choose a president pro tempore, and a plurality of votes cast shall be sufficient for a choice. The council shall sit with open doors, and the journal of its proceedings shall be open to public inspection. The vote of the council upon any question shall be taken by roll call when the same is requested by two members. A majority of the members of the council shall be required to constitute a quorum, but a smaller number may adjourn from day to day. The council shall, so far as not inconsistent with this act, have and exercise all the legislative powers of towns, and have all the powers and be subject to all the liabilities of city councils, and of either branch thereof, under the general laws of the Commonwealth, and it may by ordinance prescribe the manner in which such powers shall be exercised.

Quorum, etc.

To elect treasurer, city clerk, etc.

SECTION 14. The city council shall annually in the month of January elect by a majority vote of all its mem-

bers, a treasurer, a collector of taxes, who may be the treasurer, a city clerk, and an auditor, who shall hold office from the first Monday of the following February and until their successors are chosen and qualified: *provided, however*, that either of the officers named in this section may be removed at any time by said city council for sufficient cause, by a two thirds vote of all its members. The said treasurer, collector of taxes, city clerk, and auditor, shall perform such duties as may be prescribed by ordinance, and they shall perform all the duties and exercise all the power incumbent by law upon them.

Proviso

SECTION 15. The city council shall, with the approval of the mayor, have exclusive authority and power to order the laying out, locating anew or discontinuing of or making specific repairs in all streets and ways, and all highways within the limits of said city, and to assess the damages or betterments sustained by any person thereby, and further, except as herein otherwise provided, to act in all matters relating to such laying out, locating anew, altering, discontinuing or repairing. Any person aggrieved by the assessment of his damages or other action of the council under this section shall have all the rights and privileges now allowed by law in such cases in appeals from decisions of the selectmen of towns.

Streets, highways, etc.

SECTION 16. In case any ordinance, order, resolution or vote involves the appropriation or expenditure of money to an amount which may exceed one hundred dollars, the laying of an assessment, or the granting to a person or corporation of any right over or under any street or other public ground of said city, the votes of a majority of all the members of the city council shall be necessary for its passage. Every such ordinance, order, resolution or vote shall be read twice, with an interval of at least seven days between the two readings, before being finally passed, and the vote upon its final passage shall be taken by roll call.

Majority vote of all members necessary for the passage of certain ordinances, etc.

SECTION 17. The city council shall have power within said city to make and establish ordinances and by-laws and to affix thereto penalties as herein and by general law provided, without the sanction of any court or justice thereof: *provided, however*, that all laws and regulations now in force in the city of Gloucester shall remain in force until they shall expire by their own limitation, or be revised or repealed by the council. Complaint for the

City council may establish ordinances and by-laws, affix penalties, etc.

Proviso.

breach of any ordinance or by-law may be made by the mayor or any head of a department, or by any resident of the city.

Fire department.

SECTION 18. The city council shall establish a fire department for said city, to consist of a chief engineer and assistant engineers not exceeding nine, and of such officers and members as the city council by ordinance shall from time to time prescribe; and said council shall have authority to define their rank and duties, and in general to make such regulations concerning their conduct and the government of such department, the management of fires and the conduct of persons attending fires, as they may deem expedient, and may fix penalties for the violation of such regulations. The appointment of all the officers and members of such department shall be vested in the mayor exclusively, who shall have authority to remove from office any officer or member for cause.

Police department.

SECTION 19. The city council shall establish by ordinance a police department, to consist of a chief of police and such other members as it may prescribe, and shall make regulations for the government of the department. The appointment of all the members of such department shall be vested in the mayor exclusively, who shall have power to remove any member for cause.

Mayor may be removed from office for official misconduct or neglect of duty.

SECTION 20. At any meeting of the city council it shall be in order for any member thereof to give written notice, seconded in writing by a majority of all the members of the council, of his intention to move at the next meeting thereof, occurring within not less than ten days, a resolution that the mayor be removed for official misconduct or neglect of duty. Such notice shall specify as particularly as possible the acts of misconduct, or the instances of neglect of duty complained of, shall be entered at large by the clerk in the minutes of the council, and the clerk shall within two days serve a copy thereof upon the mayor and mail a copy to each of the members of the council at his residence. At such next meeting of the council the mayor shall have the right to speak in his own defence and to be heard by counsel. The vote on the resolution shall be by roll call. If the resolution fails to receive the affirmative votes of three fourths of all the members of the council it shall have no effect, and shall not be reintroduced during that meeting of the council. If it receives the affirmative votes of three fourths of all

the members of the council it shall, upon the service of a copy thereof upon the mayor, personally, or by leaving the same at his last or usual place of residence, take effect, and the office of mayor shall thereupon become vacant. The council shall thereupon order a warrant for a new election for mayor to be issued, and such further proceedings shall be had as are provided in section five hereof in the case of a failure to elect a mayor.

SECTION 21. No member of the city council shall during the term for which he is elected hold any other office in or under the city government, have the expenditure of any money appropriated by the council, or act as counsel in any matter before the council or any committee thereof; and no person shall be eligible for appointment to any municipal office established by the council during any municipal year within which he is councilman.

Members of council not to hold other city office, etc.

TITLE 4. — EXECUTIVE DEPARTMENT.

SECTION 22. The executive powers of the city shall be vested solely in the mayor, and may be exercised by him either personally or through the several officers and boards of the city in their departments, under his general supervision and control. In case of a vacancy in any office to which appointment may be made by the mayor he may personally perform the duties thereof, but he shall not be entitled to receive any salary or pay attached thereto. The mayor shall hold office for the municipal year beginning with the first Monday in January following his election, unless sooner removed, and until his successor is elected and qualified.

Executive powers vested in mayor, etc.

Term of office.

SECTION 23. The mayor shall have the sole power of appointment to all the municipal offices established by or under this act, unless herein otherwise provided; and he may remove from office by written order any officer so appointed hereunder for any cause which he shall in his official discretion deem sufficient, which cause he shall assign in his order of removal. Such office shall become and be vacant upon the filing with the city clerk of such order of removal and the service of a copy thereof upon the officer so removed, either personally or by leaving the same at his last or usual place of business. The city clerk shall keep such order of removal on file, where it shall be open to public inspection.

Appointment and removal of municipal officers.

Salary of
mayor.

SECTION 24. The salary of the mayor shall be twelve hundred dollars per annum, and such additional sum as the city council may establish by ordinance passed by vote of two thirds of all its members, such ordinance not to take effect however until the year succeeding that in which it is passed.

By whom duties
may be per-
formed in case
of disability of
mayor.

SECTION 25. Whenever by reason of sickness or absence from the city or other cause the mayor shall be disabled from performing the duties of his office he may designate by a writing filed in the office of the city clerk, either the city treasurer or the city clerk to act as mayor, or in case of the failure of the mayor to make such designation the first named of the above-mentioned officers then performing the duties of his office shall act as mayor. Such officer shall, during the continuance of such disability, have all the rights and powers of mayor, except that he shall not when so acting have the power of removal, unless thereto in any instance authorized by vote of the city council, nor any power of appointment unless such disability of the mayor has continued for a period of thirty days, nor power to approve or disapprove any ordinance, order, resolution or vote until within twenty-four hours of the time when it would take effect without the approval of the mayor. In case such disability of the mayor continues for a period exceeding sixty days the city council may at any time after the expiration of that period declare a vacancy to exist in the office of mayor.

President of
council to act
as mayor in
case of vacancy.

SECTION 26. Whenever there shall be a vacancy in the office of mayor the president of the city council shall act as mayor and possess all the rights and powers of mayor during such vacancy, except that when so acting as mayor he shall not have the power of appointment or removal unless thereto in any instance authorized by vote of the council.

TITLE 5. — SCHOOL COMMITTEE.

School com-
mittee, election,
terms, etc.

SECTION 27. The school committee shall consist of the mayor, who shall be, ex officio, chairman of the board, and nine other persons, three to be chosen at each municipal election and to hold office for the term of three years from the first Monday in January next ensuing. The present school committee shall continue to hold office until the expiration of the term for which they were elected. The school committee shall serve without pay, and shall

have the care and superintendence of the public schools and the appointment of all janitors of school buildings, who shall be under their direction and control. All the rights and obligations of the city of Gloucester in relation to the grant and appropriation of money to the support of the schools, and the special powers and authority heretofore conferred by law upon the inhabitants of said city to raise money for the support of schools therein, shall be merged in the powers and obligations of the city under this charter, to be exercised in the same manner as over other subjects of taxation; and all grants and appropriations of money for the support of schools and the erection and repair of schoolhouses in said city shall be made by the city council, in the same manner as grants and appropriations are made for other city purposes.

SECTION 28. Should there fail to be a choice of members of the school committee the vacancies shall be filled by a joint ballot of the city council and school committee, and vacancies thereafter occurring shall be filled in like manner. Vacancy.

SECTION 29. The school committee shall on the first Monday in June, or as soon thereafter as may be, choose by vote of a majority of its members, but not from their number, a superintendent of schools, who shall be under their direction and control. Such superintendent shall hold office for the term of one year from the first Monday in July in the year of his election, unless sooner removed, and until his successor is chosen and qualified; and he may be removed at any time by the school committee, by vote of a majority of its members. Superintendent of schools, election, term, etc.

TITLE 6. — ADMINISTRATIVE OFFICERS.

SECTION 30. There shall be the following administrative officers, who shall perform the duties imposed upon them respectively by law and by this act, and such further duties, not inconsistent with the nature of their respective offices, as the city council may prescribe. Three highway commissioners, who together shall constitute the board of highway commissioners. No person shall be appointed commissioner who is not a legal voter of said city or who holds at the time any city office by popular election. Any commissioner, after due notice and hearing, may be removed at any time by a two thirds vote of the city Administrative officers, appointment, duties, etc.

Administrative
officers, ap-
pointment,
duties, etc.

council, for any cause which shall be deemed sufficient and shall be expressed in the order of removal. Said board shall have the direction and control:— *a.* Of the construction, alteration, repair, care and lighting of streets, ways and sidewalks. *b.* Of the construction, alteration, repair and care of public sewers and drains. *c.* Of the construction, alteration, repair, care and maintenance of public bridges. No person or corporation authorized by the city council to dig up any public street or sidewalk in said city shall begin such digging before furnishing to such commissioners security satisfactory to them to restore such street or sidewalk to its former condition. The highway commissioners shall, except as herein otherwise provided, have exclusively the powers and be subject to the duties, liabilities and penalties which by law are given to and imposed upon road commissioners in towns. A commissioner of public buildings, who shall have the direction and control of the construction, alteration, repair and care of public buildings; except that the care of all school buildings shall be in the control of the school committee, and that the care of the Huntress Home shall be under the control of the trustees of said home. Said commissioner shall also be inspector of buildings. A city solicitor, who shall have general charge of the law business of the city, and shall attend to all proceedings at law or in equity to which the city is a party, and to all claims against the city. He shall give in writing his legal opinion upon any of the municipal affairs of the city, upon request of the mayor or council, and shall also give his opinion upon the law relating to the municipal affairs in any department, on request of the head of such department. Three principal assessors, who together shall constitute the board of assessors, one of whom shall be designated by the mayor as chairman and one as secretary. There shall be appointed annually in the month of January as many assistant assessors as there are wards in the city, and one assistant assessor shall be assigned to each ward of the city by the principal assessors. Three overseers of the poor, who together shall constitute the board of overseers of the poor, one of whom shall be designated by the mayor as chairman, and one as secretary. A chief of police. A chief engineer of the fire department. Five park commissioners, who together shall constitute the board of park commissioners, and who shall have the powers and duties of

park commissioners under general law. A city physician. Three persons, who together shall constitute the board of health, one of whom shall be the city physician. The members of said board shall be commissioners of public burial grounds, and shall have the direction and control of the laying out and caring for public burial places and all work in and upon the same. The trustees of the Huntress Home, appointed in accordance with law. Three license commissioners, who together shall constitute the board of license commissioners, and shall have the powers and duties of license commissioners under general law. A city engineer, who shall be the present incumbent, or some person who has been educated at a technical school or has had four years' experience with some engineer of acknowledged reputation. The first appointment of highway commissioners, principal assessors and overseers of the poor under this act shall be made in the month of January next following its acceptance. One member of each of said boards shall then be appointed to hold office for the term of one year, one for two years and one for three years from the first Monday in February next following his appointment; and thereafter one member of each of said boards shall be appointed in the month of January in each year to serve for the term of three years from the first Monday in February then next ensuing. The other administrative officers and members of other boards mentioned in this section shall, unless otherwise provided by this act, or by law, be appointed annually in the month of January, and shall hold office for the term of one year from the first Monday in February next following their appointment. All of said officers, including members of said boards, shall be sworn to the faithful discharge of their duties, and shall hold office until their respective successors are appointed and qualified, unless sooner removed. Vacancies may be filled by appointment for the remainder of the term. The city council may by ordinance establish additional administrative offices and define the duties of the incumbents thereof, and such offices shall be subject to the provisions of this act.

Administrative
officers, ap-
pointment,
duties, etc.

Oath of office,
vacancies, etc.

SECTION 31. Each of the above-named boards shall at its first meeting on the first Monday of February in each year, or as soon thereafter as may be, choose by ballot a permanent chairman from among its members, unless otherwise above-provided. No person shall be chosen

To elect a
chairman, etc.

permanent chairman unless he shall receive the votes of a majority of the members of the board, and he may be removed from such chairmanship by the same vote. Each of said boards shall, unless it has a clerk as hereinbefore provided, choose a secretary from among its members, in the same manner as above-prescribed for the choice of a chairman, and may remove him in the same manner. The city council may provide for the payment of any such clerk or secretary.

Accounts to
be audited
monthly, etc.

SECTION 32. The auditor of accounts shall on the first business day of every month audit all accounts in which the city is concerned as debtor or creditor, and shall report to the council as it shall direct. He shall have access at all times during business hours to all the books and vouchers of the city treasurer.

Certain officers
to be entitled to
seats with city
council, etc.

SECTION 33. The mayor, the chairman of the school committee, the treasurer, the city clerk, the auditor, all of the administrative officers above-named other than the members of boards, and the chairmen of the above-named boards, shall, ex officio, be entitled to seats with the city council. All the officers above-named shall at the request of the council answer for their respective offices, committees and boards at the meetings of the council. In case the chairman of a board is unable to be present at any such meeting he may designate another member of the board to represent it at such meeting. The said officers shall be notified in like manner with the councilmen of all the meetings of the council. They shall have the right to speak upon all matters relating to their respective departments, but upon no other matters, and shall have no right to vote. They shall give such information as may be required by the members of the council and answer such questions as may be asked by the members in relation to any matter, act or thing connected with their respective offices or the discharge of the duties thereof: *provided, however*, that any such officer may refuse to answer any question if notice thereof has not been given at least three days before the time of the meeting, in a notice book to be provided for the purpose by the city clerk and kept in his office, unless the council shall vote that the question is of such urgency and of such nature that it should be answered without notice.

To give certain
information,
etc.

Proviso.

May appoint or
remove clerks,
etc.

SECTION 34. The administrative officers and boards above-named in this title, and all administrative officers

and boards hereafter established by the city council and not coming within the department of any officer or board so above-named, shall have the power, except as herein otherwise provided, to appoint or employ and to remove or discharge all officers, clerks and employees in their respective departments. Such appointments shall not be for any specified term, but shall hold good until removal or discharge. Orders of removal shall state the grounds therefor, and shall be entered upon the records of the officer or board making the same, and removals shall take effect upon the filing of a copy of such order with the city clerk, who shall record the same in a book provided for the purpose, which book shall be open to public inspection. The above-named administrative officers and boards shall, in their respective departments, make all necessary contracts for work and for the furnishing of materials and supplies for the city, and for the construction, alteration, repair and care of all public works, institutions, buildings and other property, subject to the approval of the mayor in writing. They shall be at all times accountable to the mayor as the chief executive officer, for the proper discharge of their duties.

May make
necessary
contracts, etc.

SECTION 35. Every board, and every officer above-named not a member of a board, shall keep a record of all official transactions, and such record shall be open to public inspection.

Record of
official trans-
actions to be
kept.

SECTION 36. The city council shall require the auditor of accounts, the treasurer, and such other officers as are entrusted with the receipt, care and disbursement of money, to give bonds with such security as it shall deem proper, for the faithful discharge of their respective duties.

Certain officers
to give bonds,
etc.

TITLE 7. — GENERAL PROVISIONS.

SECTION 37. Every person elected or appointed to the office of treasurer, collector of taxes, city clerk, auditor of accounts, or to any administrative office named in the preceding title of this act shall, within five days after notice of such election or appointment, except as herein otherwise provided, take and subscribe before the mayor or city clerk or a justice of the peace, an oath or affirmation, faithfully to perform the duties of his office, which oath or affirmation, or a certified copy thereof, shall be filed in the office of the city clerk.

Oath of office
of certain
officers.

Certain persons
not eligible for
election, etc.

SECTION 38. No person shall be eligible for election or appointment to any office established by this act unless at the time of such election or appointment he has been a citizen of the United States for at least one year, nor to any such office except the offices of highway commissioner and commissioner of public buildings, chief of police and chief engineer of the fire department, unless at the time of such election or appointment he has been a resident of the city for at least one year. No person shall be eligible for election as a councilman from wards unless he has been a resident of the ward for which he is elected for six months previous to his election.

Offices to
become vacant
for certain
causes.

SECTION 39. Any office established by or under this act shall, except as otherwise provided, become vacant if the incumbent thereof ceases to be a resident of the city. The conviction of the incumbent of any such office of a crime punishable by imprisonment shall operate to create a vacancy in the office held by him.

To furnish
estimate of
expenses
for ensuing
financial year,
etc.

SECTION 40. The administrative officers and boards named in title six shall annually, on or before the first day of March, furnish to the mayor an itemized and detailed estimate of the moneys required for their respective departments or offices during the ensuing financial year. The mayor and city treasurer shall examine such estimates and shall submit the same to the city council on or before the first day of April, with their itemized and detailed recommendations thereon. No gross appropriation of money, and no item thereof in excess of the recommendations of the mayor and city treasurer, in case they shall agree in such recommendations, shall be passed by the council, except by vote of two thirds of the members present and voting, and in no case by vote of less than a majority of all the members of the council.

Officers to give
certain infor-
mation upon
request.

SECTION 41. Every officer and employee of the city, other than those mentioned in section thirty-three of this act, shall at the request of the city council appear before it and give such information as it may require in relation to any matter, act or thing connected with his office or employment or the discharge of the duties thereof.

Salaries of
officers.

SECTION 42. The city council shall establish by ordinance the regular salaries or remuneration of the offices established by this act, in case the same is not fixed herein, and of such other offices as may hereafter be established, and no ordinance of the council changing any such salary

or remuneration shall take effect until the municipal year succeeding that in which the ordinance is passed. Such salaries shall be in full for all services rendered the city by the incumbents of the respective offices in the discharge of the duties thereof.

SECTION 43. The city council shall appropriate annually on or before the first day of April the amount necessary to meet the expenditures of the city for the current municipal year. It shall take care that no money is paid from the treasury unless granted or appropriated, and shall secure a just and proper accountability by requiring bonds with sufficient penalties and sureties from all persons entrusted with the receipt, custody or disbursement of money. It shall as often as once in each year, thirty days at least prior to the annual election, cause to be published for the use of the inhabitants a particular account of the receipts and expenditures of said city and a schedule of all city property and of the city debt.

Appropriation, etc.

Account of receipts and expenditures to be published, etc.

SECTION 44. No sum appropriated for a specific purpose shall be expended for any other purpose, and no expenditure shall be made nor liability incurred by or in behalf of the city until an appropriation has been duly voted by the city council sufficient to meet such expenditure or liability, together with all prior unpaid liabilities which are payable out of such appropriation: *provided, however,* that after the expiration of the financial year and until the passage of the regular annual appropriations liabilities payable out of a regular appropriation to be contained therein may be incurred to an amount not exceeding one third of the total of such appropriation for the preceding year.

Appropriations and expenditures.

Provided.

SECTION 45. Nothing herein contained shall affect the enforcement of the provisions of chapter three hundred and twenty of the acts of the year eighteen hundred and eighty-four, entitled "An Act to improve the civil service of the Commonwealth and the cities thereof", or of any acts in amendment thereof or in addition thereto, or of the rules made by the commissioners appointed thereunder; and the city council shall make sufficient and proper appropriations for the carrying out and enforcement of said act and such rules in said city.

Civil service.

SECTION 46. All contracts made by any department of the city shall, when the amount involved is five hundred dollars or more, be in writing, and no such contract

Certain contracts to be approved by mayor, etc.

shall be deemed to have been made or executed until the approval of the mayor is affixed thereto. All such contracts shall be accompanied by a bond with sureties satisfactory to the board or committee having the matter in charge, or by deposit of money or by other security, for the faithful performance of such contracts, and such bonds or other security shall be deposited with the city auditor until the contract has been carried out in all respects; and no such contract shall be altered except by a written agreement of the contractor, the sureties on his bond, and the officer or board making the contract, with the approval of the mayor affixed thereto.

Proposals for
supplies, etc.

SECTION 47. Whenever mechanical or other work is required to be done, or supplies are required for the city, at a cost amounting to two hundred dollars or more, the board or committee having the matter in charge shall invite proposals therefor by advertisements in not more than two newspapers published in said city, such advertisements to state the time and place for opening the proposals in answer to such advertisements, and also to state the right of said board or committee to reject any or all proposals. Every proposal for doing such work or making such sale shall be accompanied by a certificate of deposit for not less than twenty-five dollars, and in no case for less than five per cent. of the amount of the proposal, for the faithful performance of such proposal, and all such proposals shall be kept by the officer or board inviting the same and shall be open to public inspection after said proposals have been accepted or rejected. Should the party to whom the award is made fail to perform the obligations of his agreement the amount of the certificate of deposit shall be forfeited to the city.

Not to take part
in employment
of labor, etc.

SECTION 48. Neither the city council nor any member or committee thereof shall directly or indirectly take part in the employment of labor, the making of contracts, the purchase of materials or supplies, the construction, alteration, or repair of any public works, buildings or other property, or the care, custody or management of the same, or in the conduct of any of the executive or administrative business of the city, or in the expenditure of public money, except such as may be necessary for the contingent and incidental expenses of the city council, nor in the appointment or removal of any officers except as herein provided; but nothing in this section contained shall affect the powers

or duties of the council in relation to state aid to disabled soldiers and sailors and to the families of those killed in the civil war.

SECTION 49. The fire limits of said city of Gloucester shall remain as they now are, provided however that they may be extended at any time by a majority vote of the city council.

Fire limits.

SECTION 50. This act shall not affect any right accruing or accrued, or any suit, prosecution or other legal proceeding pending at the time when it shall take effect by acceptance, as herein provided, and no penalty or forfeiture previously incurred shall be affected thereby. All persons holding office in said city at the time this act is accepted shall continue to hold such offices until the new city government is organized and until their respective successors are chosen and qualified.

Certain rights, etc., not affected.

Certain persons to continue in office.

SECTION 51. The powers and duties granted and imposed upon the city of Gloucester by chapter four hundred and fifty-one of the acts of the year eighteen hundred and ninety-five, including the purchase or taking of any lands or other property or rights, shall be exercised by a board of three water commissioners, to be appointed by the mayor, one of whom he may designate as chairman. Said commissioners shall be appointed and shall hold their office from the time of their appointment for the terms of one, two and three years respectively, from the first Monday of February next following their appointment; and thereafter one commissioner shall be appointed each year for the term of three years from the first Monday in February. All such commissioners, except in case of removal, shall hold office until their respective successors are appointed, and vacancies occurring during the term may be filled for the remainder of the term. No person shall be appointed commissioner who holds at the time any city office by popular election. The commissioners shall receive such compensation for their services as the city council, by ordinance passed by a two thirds vote, shall determine.

Water commissioners, appointment, terms, etc.

Compensation.

SECTION 52. Said commissioners shall be subject to such ordinances, rules and regulations in the execution of such duties as the city council may from time to time ordain and establish, not inconsistent with the provisions of this act and the laws of this Commonwealth. All contracts made by said water commissioners shall be in the name and behalf of the city, and such contracts shall be

To be subject to certain ordinances, rules, etc.

approved in writing by the mayor before they are signed by the commissioners; but no contracts shall be made by them which involve the expenditure of money not already appropriated for the purpose by the city council. A majority of said commissioners shall be a quorum for the exercise of the powers and the performance of the duties of the commission.

Quorum.

To be divided into nine wards.

Polling places and election officers for first municipal election.

Lists of qualified voters.

To be submitted to voters at the annual state election, 1896.

When to take effect.

SECTION 53. Upon the acceptance of this act as herein provided the city council of said city shall forthwith divide the territory thereof into nine wards, so that the wards shall contain, as nearly as may be consistent with well-defined limits to each, an equal number of voters, and they shall designate the wards by numbers. They shall, for the purpose of the first municipal election to be held hereunder, which shall take place on the first Tuesday of December next succeeding such acceptance, provide suitable polling places in the several wards, and give notice thereof; and at least thirty days previous to such first Tuesday in December the mayor shall appoint all proper election officers therefor in the several wards of said city. The registrars of voters shall cause to be prepared and published according to law lists of the qualified voters in each of the wards established by said city council.

SECTION 54. This act shall be submitted to the legal voters of the city of Gloucester at the annual state election in the present year. The following question shall be printed on the ballots used in said city at said election: "Shall an act passed by the general court in the year eighteen hundred and ninety-six, entitled 'An Act to revise the Charter of the City of Gloucester', be accepted?"; and a majority vote of the voters present and voting thereon shall be required for its acceptance.

SECTION 55. So much of this act as authorizes the submission of the question of its acceptance to the legal voters of the said city shall take effect upon its passage, but it shall not take further effect unless approved by the legal voters of said city as herein prescribed.

Approved May 28, 1896.

Chap. 442 AN ACT TO PROVIDE FOR THE FURTHER IMPROVEMENT OF THE COMMONWEALTH'S FLATS AT SOUTH BOSTON.

Be it enacted, etc., as follows:

Improvement of the Commonwealth's flats at South Boston.

SECTION 1. For the purpose of enforcing and executing the provisions and requirements of existing laws relating

to the Commonwealth's flats at South Boston, and for the payment of money which may be needed to carry out the provisions of chapter two hundred and thirty-nine of the acts of the year eighteen hundred and seventy-five, the sum of five hundred thousand dollars is hereby appropriated from the Commonwealth's Flats Improvement Fund, established by chapter two hundred and thirty-seven of the acts of the year eighteen hundred and seventy-eight, in addition to the amount now in said fund.

SECTION 2. In order to increase the amount of moneys in said improvement fund available for the purposes aforesaid, and in anticipation of receipts from sales or use of the Commonwealth's lands at South Boston, there shall be paid out of the treasury of the Commonwealth, from time to time, into the Commonwealth's Flats Improvement Fund, such sums of money as may be required under this act; but the amount so paid before the first day of July in the year eighteen hundred and ninety-six shall not exceed fifty thousand dollars.

Certain sums may be paid into the Commonwealth's Flats Improvement Fund.

SECTION 3. This act shall take effect upon its passage.

Approved May 28, 1896.

AN ACT RELATIVE TO REGISTERS OF DEEDS.

Chap. 443

Be it enacted, etc., as follows:

SECTION 1. Section twenty-five of chapter twenty-four of the Public Statutes is hereby amended by striking out in the first line, the words "county commissioners in each county", and inserting in place thereof the words: — registers of deeds of the several counties or registration districts, — so as to read as follows: — *Section 25.* The registers of deeds of the several counties or registration districts, except Suffolk, shall within the first six months of each year, or within such further time during the year as they may think proper, cause to be made at the expense of their several counties, by competent persons employed by them, copies of the indexes to the instruments recorded in the registries of deeds during the preceding year, in which copies the grantors and grantees shall respectively be assorted into distinct lists by their respective surnames in alphabetical order, and arranged under such surnames in the order in which the deeds and other conveyances to which they refer were left for record. They may also cause the Christian names of the grantors and grantees, as well as their surnames, to be arranged in alphabetical

P. S. 24, § 25, amended.

Registers of deeds to cause copies of classified indexes to certain records to be made.

order in such lists, when in their opinion reference to the records will be facilitated thereby. Such copies shall in other respects be in the form required for the indexes to the records.

P. S. 24, § 26,
amended.

SECTION 2. Section twenty-six of said chapter is hereby amended by striking out the first line, and inserting in place thereof the words:—When the registers deem it expedient they may, with the consent and approval of the county commissioners,—so as to read as follows:—

Copies of
indexes to
existing records
may be made,
etc.

Section 26. When the registers deem it expedient they may, with the consent and approval of the county commissioners, cause copies of the indexes or new indexes to the records existing in the registries of deeds in their respective counties, or of any part thereof, to be made by some competent person at the charge of their respective counties, upon such plan and in such manner as will in their judgment best facilitate reference to the records; and they may cause such copies of indexes or new indexes to be printed at the charge of their respective counties, and to be sold at a price not less than the cost of printing, paper, and binding.

Estimate of
cost, etc., of
indexing to be
filed with
county com-
missioners.

SECTION 3. Registers of deeds of the several counties or registration districts, except Suffolk, shall file with the county commissioners of their respective counties on or before the thirty-first day of December in each year, an estimate in detail of the character, amount and cost of the indexing which, in the judgment of said registers respectively, ought to be done in the ensuing year, which estimate shall be examined by the county commissioners, and so much thereof as in their judgment is necessary, shall be included in the estimates required to be made by chapter one hundred and forty-three of the acts of the year eighteen hundred and ninety-five.

Certain sum
may be ex-
pended under
direction of
register, etc.

SECTION 4. Such sum as may be authorized for this purpose by the general court shall be expended under the direction of the register for the purposes and in the manner named in his original estimate, either in whole or in part, and shall be paid out of the treasury of the county to the person or persons actually employed in performing the work, on approval of the bills for the same by the county commissioners.

Repeal.

SECTION 5. Sections thirty, thirty-one and thirty-two of chapter twenty-four of the Public Statutes are hereby repealed.

SECTION 6. Section one of chapter one hundred and forty-eight of the acts of the year eighteen hundred and ninety-three is hereby amended by striking out all after the word "commissioners", in the twelfth line, — so as to read as follows:— *Section 1.* The secretary of the Commonwealth shall incorporate in his annual report to the legislature the returns made under section five of chapter one hundred of the Public Statutes, of the number of liquor licenses issued by the several cities and towns, the amount received for the same and the vote of said cities and towns on the question of granting the same; the returns made under section twenty-five of chapter twenty-five of the Public Statutes by the sheriffs of the several counties, of all moneys received by them from all sources and the number of days they have attended upon a court of record and upon the county commissioners.

1893, 148, § 1, amended.

Annual report of secretary to include certain returns.

SECTION 7. Registers of deeds shall be entitled to receive a fee of twenty-five cents for entering a discharge of an attachment or of a mechanic's lien, when such discharge is certified by them, and the same fee for entering a partial release of an attachment.

Registers of deeds to receive certain fees.

SECTION 8. This act shall take effect upon its passage, but shall not be so construed as to make void any present existing contracts relating to the indexes to the records of the registries of deeds.

Existing contracts not affected.

Approved May 28, 1896.

AN ACT TO FACILITATE THE COLLECTION OF SMALL DEBTS FOR
MANUAL WORK OR LABOR PERFORMED. *Chap. 444*

Be it enacted, etc., as follows:

In actions of contract for the recovery of money due for manual labor two or more persons may join in one action against the same defendant or defendants when the claim of no one of such persons exceeds the sum of twenty dollars, although the claims of such persons are not joint; and each of such persons so joining may recover the sum found to be due to him personally. The claim of each person so joining shall be stated in a separate count in the declaration, and the court may make such order for the trial of issues as shall be found most convenient and may enter separate judgments and issue one or more executions, and may make such order concerning costs as in its opinion justice may require.

Two or more persons may join in certain actions of contract, etc.

Approved May 28, 1896.

Chap.445 AN ACT RELATIVE TO EVIDENCE IN ACTIONS AGAINST THE ESTATES
OF DECEASED PERSONS.

Be it enacted, etc., as follows :

Certain evidence
to be admissible
in actions
against estates
of deceased
persons.

In the trial of an action against an executor or against an administrator of a deceased person in which the cause of action is supported by oral testimony of a promise or statement made by said deceased person, evidence of statements written or oral made by said deceased person, memoranda and entries written by him, and evidence of his acts and habits of dealing tending to disprove or to show the improbability of such statement or promise having been made, shall be admissible.

Approved May 28, 1896.

Chap.446 AN ACT MAKING FURTHER PROVISION FOR THE PROTECTION OF
THE PUBLIC HEALTH IN THE VALLEYS OF THE CONCORD AND
SUDBURY RIVERS.

Be it enacted, etc., as follows :

Improvement of
Concord and
Sudbury rivers,
time extended.

SECTION 1. The time for the completion of the improvement of the Concord and Sudbury rivers, undertaken by the state board of health under authority of chapter four hundred and twenty-six of the acts of the year eighteen hundred and ninety-four, relative to the protection of the public health in the valleys of said rivers, is hereby extended to the thirty-first day of December in the year eighteen hundred and ninety-eight, and the board is authorized to expend any unexpended balance of the sum heretofore appropriated therefor, together with such further sum, not exceeding one thousand dollars, as may be required to finish the work already planned by said board.

To replace
canal bridge in
Wayland.

SECTION 2. The said board is also authorized to expend a further sum, not exceeding two thousand dollars, in taking down the canal bridge, so-called, in the town of Wayland, in order to remove the bar upon which it stands and in replacing said bridge by a suitable structure of stone, steel or wood.

SECTION 3. This act shall take effect upon its passage.

Approved May 28, 1896.

AN ACT TO AUTHORIZE CREDIT INSURANCE COMPANIES TO DO BUSINESS IN THIS COMMONWEALTH. *Chap. 447*

Be it enacted, etc., as follows:

SECTION 1. Section twenty-nine of chapter five hundred and twenty-two of the acts of the year eighteen hundred and ninety-four, as amended by section one of chapter four hundred and seventy-four of the acts of the year eighteen hundred and ninety-five, is hereby amended by adding at the end of said section the following words:

1894, § 29, etc., amended.

— Ninth, To carry on the business commonly known as credit insurance or guaranty, either by agreeing to purchase uncollectible debts, or otherwise to insure against loss or damage from the failure of persons indebted to the assured to meet their liabilities, — so as to read as follows: — *Section 29.* Insurance companies may be formed as provided in section thirty for any one of the following purposes, to wit: —

Purposes for which companies may be formed.

First, To insure against loss or damage to property by fire, lightning, or tempest on land, upon the stock or mutual plan.

Loss by fire, etc.

Second, To insure upon the stock or mutual plan, vessels, freights, goods, money, effects, and money lent on bottomry or respondentia, against the perils of the sea and other perils usually insured against by marine insurance, including risks of inland navigation and transportation.

Loss by perils of the sea, etc.

Third, To guarantee the fidelity of persons in positions of trust, private or public, and to act as surety on official bonds and for the performance of other obligations.

Guaranty of fidelity, etc.

Fourth, To insure against loss or damage to property of the assured, or loss or damage to the life, person or property of another for which the assured is liable, caused by the explosion of steam boilers.

Damage by steam boiler explosions.

Fifth, To insure any person against bodily injury or death by accident, or any person, firm or corporation against loss or damage on account of the bodily injury or death by accident of any person for which loss or damage said person, firm or corporation is responsible.

Accident to persons.

Sixth, To insure against the breakage of plate glass, local or in transit.

Breakage of plate glass.

Seventh, To insure against loss or damage by water to any goods or premises arising from the breakage or leakage of sprinklers and water pipes.

Damage by water.

Damage from accidents to elevators, etc.

Eighth, To insure against loss or damage to property arising from accidents to elevators, bicycles and vehicles, except rolling stock of railways.

Damage from failure of persons to meet their liabilities.

Ninth, To carry on the business commonly known as credit insurance or guaranty, either by agreeing to purchase uncollectible debts, or otherwise to insure against loss or damage from the failure of persons indebted to the assured to meet their liabilities.

1894, 522, § 31, etc., amended.

SECTION 2. Section thirty-one of said chapter five hundred and twenty-two, as amended by section two of chapter four hundred and seventy-four of the acts of the year eighteen hundred and ninety-five, is hereby amended by striking out in the eleventh and twelfth lines, the words "or eighth", and inserting in place thereof the words:— eighth or ninth, — so as to read as follows:— *Section 31.* No corporation so formed shall transact any other business than that specified in its charter and articles of association. Companies to insure plate glass may organize with a capital of not less than one hundred thousand dollars. Companies so formed insuring marine or inland risks upon the stock plan shall have a capital of not less than three hundred thousand dollars. Companies so formed for the transaction of fire insurance on the stock plan, of fidelity insurance, of accident insurance, of steam boiler insurance, or for the transaction of the business authorized under the seventh, eighth or ninth paragraph of section twenty-nine of this act shall have a capital of not less than two hundred thousand dollars. Companies may be so formed to insure mechanics' tools and apparatus against loss by fire for an amount not exceeding two hundred and fifty dollars in a single risk, with a capital of not less than twenty-five thousand dollars, divided into shares of the par value of ten dollars each.

To transact only business specified in charter.

Minimum capital of stock companies.

Certain mutual companies may continue business of employers' liability insurance, etc.

Mutual companies heretofore organized to transact employers' liability insurance may continue such business under the fifth paragraph of section twenty-nine of this act, and such companies shall be subject to the laws, so far as applicable, in relation to mutual fire insurance companies. No company shall be required to have on deposit with the treasurer of the Commonwealth an amount in excess of what is sufficient to enable it to comply with the laws of the states in which it transacts business; and all sums in excess of this amount held on deposit with the treasurer of the Commonwealth or

elsewhere shall be counted as of the surplus funds of the company.

SECTION 3. This act shall take effect upon its passage.

Approved May 28, 1896.

AN ACT RELATIVE TO INSURANCE BROKERS.

Chap. 448

Be it enacted, etc., as follows:

SECTION 1. The second paragraph of section ninety-three of chapter five hundred and twenty-two of the acts of the year eighteen hundred and ninety-four, as amended by section two of chapter fifty-nine of the acts of the year eighteen hundred and ninety-five, is hereby amended by inserting in the second line of said paragraph, after the word "person", the words:—a resident of this Commonwealth or a resident of any other state granting like certificates to residents of this Commonwealth,— so that said second paragraph shall read as follows:—The insurance commissioner may, upon the payment of a fee of ten dollars, issue to any suitable person, a resident of this Commonwealth or a resident of any other state granting like certificates to residents of this Commonwealth, a certificate of authority to act as an insurance broker to negotiate contracts of insurance or reinsurance or place risks or effect insurance or reinsurance with any qualified domestic insurance company or its agents, and with the authorized agents in the Commonwealth of any foreign insurance company duly admitted to do business in the Commonwealth.

1894, 522, § 93,
etc., amended.

Insurance
commissioner
may issue
certificates
of authority to
insurance
brokers.

SECTION 2. This act shall take effect upon its passage.

Approved May 28, 1896.

AN ACT RELATIVE TO THE EMPLOYMENT OF LABORERS IN THE
CITIES OF THE COMMONWEALTH.

Chap. 449

Be it enacted, etc., as follows:

SECTION 1. So much of chapter three hundred and twenty of the acts of the year eighteen hundred and eighty-four and the amendments thereto as relates to the employment of laborers by cities, and that portion of the civil service rules of the Commonwealth and the cities thereof as authorized by said acts and designated therein as the "Labor Service", shall not take effect in cities of less than one hundred thousand population, except upon acceptance by the city council of such city, with the ap-

Employment of
laborers in
cities.

proval of its mayor: *provided*, that the city council of such cities shall establish rules under which veterans of the late war of the rebellion shall be given the preference in employment.

SECTION 2. This act shall take effect upon its passage.

Approved May 28, 1896.

Chap. 450 AN ACT RELATIVE TO THE COMPENSATION OF EMPLOYEES IN WEST BOYLSTON.

Be it enacted, etc., as follows:

Certain persons deprived of employment in West Boylston may file claim for damages.

SECTION 1. Any resident of the town of West Boylston employed by any corporation, partnership or individual at the time when the plant of such corporation, partnership or individual is taken, and work therein stopped, on account of a reservoir for the metropolitan water supply, and who is obliged by reason of such taking to seek employment elsewhere, shall have the right for one year from the termination of such employment as aforesaid to file a claim for damages with the metropolitan water commission, and if the same is not settled within sixty days from the filing thereof, he may bring a bill in equity in the superior court for the county of Worcester for the adjudication and collection of such damage. Any number of persons deprived of employment as aforesaid may unite in such bill, and the withdrawal of any shall not prejudice the rights of others.

Court to ascertain certain facts, etc.

SECTION 2. It shall be the duty of the court to ascertain whether or not such claimants have resided and been employed and deprived of employment as specified in this act, and if so to issue a decree in favor of each to recover the actual damage which he has suffered by reason of such loss of employment, not however to exceed the sum of his wages for six months at the rate of wages paid to him for the last six months prior to such suspension of employment.

Certain employees not entitled to receive compensation.

SECTION 3. No person shall be entitled to receive compensation under this act unless he shall have been employed in the town of West Boylston continuously from the date when chapter four hundred and eighty-eight of the acts of the year eighteen hundred and ninety-five, entitled "An Act to provide for a metropolitan water supply", became a law, up to the date of the taking of the property wherein said person is employed.

SECTION 4. No stockholder of any corporation whose plant is taken on account of a reservoir for said metropolitan water supply shall be entitled to receive compensation under this act. Stockholders not entitled to receive compensation.

SECTION 5. This act shall take effect upon its passage.

Approved May 28, 1896.

AN ACT RELATIVE TO THE FILING OF EXCEPTIONS IN THE SUPREME JUDICIAL AND SUPERIOR COURTS.

Chap. 451

Be it enacted, etc., as follows:

Section two of chapter one hundred and fifty-three of the acts of the year eighteen hundred and ninety-five is hereby amended by inserting after the word "evidence", in the third line, the words:—and of the instructions given to the jury, — so as to read as follows:— *Section 2.* The presiding justice shall have the right to order the excepting party in civil cases to furnish to the court a transcript of the evidence, and of the instructions given to the jury, or such part thereof as the presiding justice shall designate, written out by the official stenographer from his notes, within such time as the justice shall order, not less than ten days from the date of the order, and if the excepting party shall neglect to furnish the same within said time or such extension thereof as the court may allow the court in which the exceptions were taken may, upon application of the adverse party and upon due notice to all parties interested, order the exceptions taken dismissed, and the opinion, ruling or order excepted to, affirmed in the manner provided in chapter ninety-four of the acts of the year eighteen hundred and eighty-eight. 1896, 153, § 2, amended. Transcript of evidence, etc., may be ordered in civil cases.

Approved June 2, 1896.

AN ACT TO CHANGE THE NAME OF THE MILLICENT LIBRARY CORPORATION.

Chap. 452

Be it enacted, etc., as follows:

SECTION 1. The name of the Millicent Library Corporation is hereby changed to The Millicent Library. Name changed.

SECTION 2. The provisions of chapter three hundred and ninety-two of the acts of the year eighteen hundred and ninety-three shall not be affected by the passage of this act. 1893, 392, not affected.

SECTION 3. This act shall take effect upon its passage.

Approved June 2, 1896.

Chap. 453 AN ACT TO AUTHORIZE THE CITY OF BOSTON TO CONTINUE THE CONSTRUCTION OF ITS PUBLIC PARKS.

Be it enacted, etc., as follows :

Construction of public parks in Boston to be continued, etc.

Proviso.

SECTION 1. The city of Boston shall continue the construction of the public parks of said city, and to pay the expenses incurred therefor, including payments for lands, the city treasurer shall from time to time as specified in requests by the board of park commissioners of said city, approved by the mayor, issue notes, bonds or scrip of said city, and the total amount so issued shall not exceed one million dollars: *provided, however*, that out of the proceeds of the notes, bonds or scrip hereby authorized to be issued the sum of two hundred thousand dollars shall be applied towards the completion of the Strandway, so-called, in South Boston, and one hundred thousand dollars for the completion of the North End Park. Said notes, bonds or scrip shall be made payable in thirty years from their date, and bear interest payable semi-annually at such rate, not exceeding four per cent. per annum, and at such times as shall be fixed by said treasurer, and the indebtedness incurred under this act shall not be taken into consideration in determining the debt limit of said city.

SECTION 2. This act shall take effect upon its passage.

Approved June 2, 1896.

Chap. 454 AN ACT IN ADDITION TO AN ACT MAKING AN APPROPRIATION FOR EXPENSES IN CONNECTION WITH THE EXTERMINATION OF CONTAGIOUS DISEASES AMONG HORSES, CATTLE AND OTHER ANIMALS.

Be it enacted, etc., as follows :

Extermination of contagious diseases among animals.

How sum appropriated shall be applied, etc.

SECTION 1. The sum of two hundred thousand dollars is hereby appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purpose of meeting expenses in connection with the extermination of contagious diseases among horses, cattle and other animals, during the year ending on the thirty-first day of December in the year eighteen hundred and ninety-six, the same to be in addition to the amount appropriated by chapter thirty-nine of the acts of the present year.

SECTION 2. The sum hereby appropriated shall be first applied to the payment for neat cattle now held in quarantine and condemned as tuberculous by the board of cattle commissioners or any member thereof, to the payment of

all quarantine and other expenses incident thereto by law required to be paid by the Commonwealth, and to the payment of all other expenses already legally incurred by said board. No part of the sum hereby appropriated shall be applied in payment for the testing of or compensation for cattle condemned and killed under tests made at the owner's request. If the sum hereby appropriated shall be expended before the first day of January in the year eighteen hundred and ninety-seven the auditor shall immediately certify that fact to the board of cattle commissioners. Upon the receipt of such certification said board shall immediately notify each city and town and each inspector throughout the Commonwealth that said appropriation is exhausted, and thereafter no Massachusetts cattle shall be quarantined until a further appropriation is made, and all Massachusetts cattle quarantined at the time such notification is issued shall be immediately released.

SECTION 3. This act shall take effect upon its passage.

Approved June 2, 1896.

AN ACT TO AUTHORIZE CITIES AND TOWNS TO APPROPRIATE MONEY
FOR MEMORIAL OBSERVANCES IN HONOR OF FIREMEN.

Chap. 455

Be it enacted, etc., as follows:

SECTION 1. Cities may by vote of the city council, and towns may by vote in town meeting, appropriate such sums as they may judge necessary for the purpose of keeping in repair or decorating graves, monuments or other memorials erected to the memory of firemen who died from injuries received in the exercise of their duties while in the fire service of any city or town in this Commonwealth, or for other memorial observances in honor of such firemen. The sums so appropriated may be paid over to the Veteran Firemen's Association or to other similar organizations, to be expended for the purposes above-specified.

Cities and towns may appropriate money for memorial observances in honor of firemen, etc.

SECTION 2. This act shall take effect upon its passage.

Approved June 2, 1896.

AN ACT PROVIDING FOR THE APPOINTMENT OF GUARDIAN AD LITEM
OR NEXT FRIEND IN CERTAIN CASES.

Chap. 456

Be it enacted, etc., as follows:

SECTION 1. In any case where, under the terms of a written instrument or otherwise, any minor or person under disability, or any person or persons not ascertained

Guardian ad litem or next friend may be appointed in certain cases.

or not in being, may be or may become interested in any estate real or personal, the court in which is pending any suit, bill, petition, or proceeding of any kind relating to or affecting any such estate may, on the representation of any party thereto, or of any person interested, appoint a suitable person to appear and act therein as guardian ad litem or next friend of such minor or person or persons under disability or not ascertained or not in being, and a judgment, order or decree in such proceedings, made after such appointment, shall be conclusive upon all persons for whom such guardian ad litem or next friend was appointed.

Cost of appearance to be determined by court, etc.

SECTION 2. The cost of appearance of such guardian ad litem or next friend, including the compensation of his counsel, shall be determined by the court and paid as it may order, either out of the estate or by the plaintiff or petitioner, in which latter case execution may issue therefor in the name of the guardian ad litem or next friend.

Certain powers of court not affected.

SECTION 3. Nothing herein contained shall be construed to affect or impair the power of any court to appoint a guardian ad litem or next friend under any existing provisions of law.

Approved June 2, 1896.

Chap. 457 AN ACT TO AUTHORIZE THE CITY OF NEWTON TO PAY A SUM OF MONEY TO SARAH F. KENRICK.

Be it enacted, etc., as follows :

City of Newton may pay certain sum of money to widow of John A. Kenrick.

SECTION 1. The city of Newton is hereby authorized to pay to Sarah F. Kenrick, widow of John A. Kenrick, deceased, late treasurer and collector of taxes of said city of Newton, the balance of salary to which he would have been entitled had he lived and continued to hold his office until the thirty-first day of December in the year eighteen hundred and ninety-six.

SECTION 2. This act shall take effect upon its passage.

Approved June 2, 1896.

Chap. 458 AN ACT TO LEGALIZE AND CONFIRM CERTAIN PROCEEDINGS OF THE TOWN OF PLAINFIELD.

Be it enacted, etc., as follows :

Certain proceedings of town meeting confirmed.

SECTION 1. The action of the town of Plainfield relative to the appropriation of money for telephone service, taken at the annual meeting of said town held on the second day of March in the year eighteen hundred and

ninety-six, is hereby legalized and confirmed, but nothing herein contained shall authorize or empower said town to construct or maintain a telephone line.

SECTION 2. This act shall take effect upon its passage.

Approved June 2, 1896.

AN ACT PROVIDING FOR THE APPOINTMENT OF AN OFFICIAL STENOGRAPHER FOR THE SUPERIOR COURT, CRIMINAL SESSION, IN THE COUNTY OF SUFFOLK.

Chap. 459

Be it enacted, etc., as follows:

SECTION 1. The justices of the superior court or a majority of them may appoint a stenographer for the session of said court held for the transaction of criminal business within and for the county of Suffolk. The stenographer so appointed shall be a sworn officer of said court and shall receive an annual salary of twenty-five hundred dollars to be paid by said county.

Official stenographer may be appointed for superior court, criminal session, Suffolk county.

SECTION 2. Said stenographer shall attend the sessions of said court, and when requested by the presiding justice, or by the district attorney, or by the defendant, shall take stenographic notes of all the evidence, the rulings of the presiding justice and the charge of the court given at any trial therein. Said stenographer, when requested by said justice, shall read from such notes, in open court, any portion of the testimony so taken, and when requested shall furnish said justice, at the expense of the county, a transcript from such notes, fully written out, of such part of the testimony, rulings or charge as may be desired, and upon request shall furnish to the district attorney or to the defendant, within a reasonable time, a like transcript, upon payment of ten cents a hundred words for each copy so furnished. Transcripts furnished the presiding justice shall be paid for at the same rate and taxed as other costs.

Duties.

SECTION 3. The stenographer appointed under the provisions of this act, when not employed in said court, shall perform such service as stenographer as may be required by the district attorney, and shall receive the same compensation for transcripts as is provided for in the preceding section.

To perform certain service required by district attorney, etc.

SECTION 4. The stenographer appointed under the provisions of this act may, with the approval of any justice of said court, appoint one or more assistants, who shall be sworn; but no additional compensation shall

May appoint assistants, etc.

be paid or expense incurred by reason of such appointment.

Stenographer
may be ap-
pointed to
attend at certain
sessions, etc.

SECTION 5. The presiding justice of any session for criminal business which is of special or temporary character may, in his discretion, appoint a stenographer or stenographers to attend therein, with the duties prescribed in section two of this act; and the stenographers so appointed shall be sworn officers of the court, and shall receive for attendance the per diem compensation provided by law for official stenographers in the civil sessions of the superior court in other counties than Suffolk, and for transcripts the same compensation provided in section two of this act.

Official
stenographers
may interchange
services, etc.

SECTION 6. With the consent of the court the official stenographers appointed under this act may interchange services with or perform the duties of any other official stenographer of the superior court in any county.

Transcripts
from steno-
graphic notes to
be received as
evidence, etc.

SECTION 7. Transcripts from stenographic notes duly taken in the superior court under statute authority, verified by the certificate of the official stenographer, or assistant, taking the same, shall be received as evidence of testimony given, whenever proof of such testimony is otherwise competent.

Removals.

SECTION 8. The justices of said court or a majority of them may remove said stenographer at any time, and may fill the vacancy caused by such removal or otherwise.

Approved June 2, 1896.

Chap. 460

AN ACT TO INCORPORATE THE MALDEN TRUST COMPANY.

Be it enacted, etc., as follows :

Malden Trust
Company
incorporated.

SECTION 1. Willard B. Ferguson, Phineas W. Sprague, William B. Buckminster, Frank J. Perkins, John G. Chandler, James F. Shaw, Charles L. Dean, Daniel P. Wise, Peter Graffam, their associates and successors, are hereby made a corporation by the name of the Malden Trust Company, with authority to establish and maintain a safe deposit, loan and trust company in the city of Malden; with all the powers and privileges and subject to all the duties, liabilities and restrictions set forth in all general laws which now are or may hereafter be in force relating to such corporations.

SECTION 2. This act shall take effect upon its passage.

Approved June 3, 1896.

AN ACT TO INCORPORATE THE DORCHESTER SAFE DEPOSIT AND TRUST COMPANY. *Chap.461*

Be it enacted, etc., as follows :

SECTION 1. Charles L. T. Stedman, Charles E. Cummings, Frederic W. Connolly, George I. Robinson, Junior, Thomas H. Brackett, George Foster, and James L. Hillard, their associates and successors, are hereby made a corporation by the name of the Dorchester Safe Deposit and Trust Company, with a capital stock of not less than two hundred thousand dollars, with authority to establish and maintain a safe deposit, loan and trust company in that part of the city of Boston known as Field's Corner ; with all the powers and privileges and subject to all the duties, liabilities and restrictions set forth in all general laws which now are or may hereafter be in force relating to such corporations.

Dorchester Safe Deposit and Trust Company incorporated.

SECTION 2. This act shall take effect upon its passage.

Approved June 3, 1896.

AN ACT TO AUTHORIZE THE TOWNS OF CHELMSFORD, CARLISLE AND DUNSTABLE TO UNITE FOR THE EMPLOYMENT OF A SUPERINTENDENT OF SCHOOLS. *Chap.462*

Be it enacted, etc., as follows :

SECTION 1. The towns of Chelmsford, Carlisle and Dunstable shall have the same power to unite for the purpose of the employment of a superintendent of schools, and the same right to receive an allowance from the state treasury under the provisions of chapter four hundred and thirty-one of the acts of the year eighteen hundred and eighty-eight and of acts in amendment thereof, which they would have if said towns contained twenty-five schools, and they shall be subject to the same duties and liabilities.

Certain towns may unite in employment of a superintendent of schools.

SECTION 2. This act shall take effect upon its passage.

Approved June 3, 1896.

AN ACT TO INCORPORATE THE HYDE PARK TRUST COMPANY. *Chap.463*

Be it enacted, etc., as follows :

SECTION 1. Amos H. Brainard, Robert Bleakie, John S. Bleakie, Stephen B. Balkam, A. S. Raymond, Thomas T. Robinson, Wilbur H. Powers, Frederick N. Tirrell, their associates and successors, are hereby made a corporation

Hyde Park Trust Company incorporated.

by the name of the Hyde Park Trust Company, with authority to establish and maintain a safe deposit and trust company in the town of Hyde Park; with all the powers and privileges and subject to all the duties, liabilities and restrictions set forth in all general laws which now are or may hereafter be in force relating to such corporations.

SECTION 2. This act shall take effect upon its passage.

Approved June 3, 1896.

Chap. 464 AN ACT RELATIVE TO THE LEVY OF EXECUTIONS ON REAL ESTATE.

Be it enacted, etc., as follows:

P. S. 172, § 45,
amended.

When levy shall
be considered as
made.

SECTION 1. Section forty-five of chapter one hundred and seventy-two of the Public Statutes is hereby amended by striking out from the word "if", in the first line, to the word "sale", in the sixth line, both inclusive, and inserting in place thereof the words: — shall be considered as made at the time when such land is taken, whether the levy is made by set-off or by sale, and, — so as to read as follows: — *Section 45.* The levy shall be considered as made at the time when such land is taken, whether the levy is made by set-off or by sale, and the subsequent proceedings and the officer's return thereof shall be valid, although made and done after the return day or after the removal or other disability of the officer.

SECTION 2. This act shall take effect upon its passage.

Approved June 3, 1896.

Chap. 465 AN ACT TO BETTER DEFINE THE AUTHORITY OF THE METROPOLITAN PARK COMMISSION.

Be it enacted, etc., as follows:

Exceptions and
reservations in
certain takings
by the Common-
wealth to be
valid, etc.

SECTION 1. Whenever by reason of a taking by the Commonwealth through its metropolitan park commission, duly concurred in according to law, an existing public street is so affected that the public rights therein might otherwise be abridged, either by being wholly or in part included within the taking, any and all exceptions and reservations made in said taking in favor of any municipality within which said street or any part thereof may lie, and of the public, and of any corporations and individuals (said taking being accompanied by a plan showing the land included therein and the street so affected), shall be valid, effectual and binding; and in order to insure to the parties from time to time concerned the full and perfect

enjoyment of the uses thereby reserved said board is hereby authorized and empowered from time to time to make grants or conveyances of easements, to enter into agreements, to issue licenses, and generally to conclude arrangements to that end, all in its discretion; but no such grant, agreement, license or arrangement shall be taken or held to abrogate or abridge the control of said board over the land included in said taking except as in said exceptions and reservations provided, or the right of said board from time to time in its discretion to make rules and regulations for the government and use of any roadway, boulevard or crossway, which may at any time hereafter be laid out and maintained over said land or over any portion thereof, not inconsistent with such exceptions and reservations.

SECTION 2. Said commission is hereby authorized and empowered to transfer for care and control, including police protection, any lands or rights or easements or interest in land, although the same be a roadway or boulevard owned or controlled by it, to any city, town or county, or local board of a city or town within the metropolitan parks district, with the consent of such city, town, county or board, and upon such terms and for such period as may be mutually agreed upon, and to enter into an agreement with any such city, town or county or board for the joint care and control or police protection of said land or boulevard, and also for laying out, constructing and maintaining streets or ways into or across any such land or boulevard; and any city, town or county, or any local board within the metropolitan parks district, is hereby authorized and empowered to transfer for care and control, including police protection, any land, rights, easements or interest in land in its control, although the same be already a part of a public street owned or controlled by it, to the metropolitan park commission for such period and upon such terms as may be mutually agreed upon, and to enter into an agreement with said commission for the joint care and control, including police protection, of said land or street.

Care and control of certain lands, etc.

SECTION 3. Said commission is hereby authorized to join with any city, town or county in the laying out, improvement, relocation, widening, repairing, maintaining and caring for any public street, way, bridge or stream which lies along or connects any lands, roadways or

Commission may join with cities, towns, etc., in laying out, repairing, etc., certain public streets, etc.

boulevards, or any sewer, water pipe or other conduit in such public street, way or bridge, or in or across any park, road or boulevard, or park reservation or open space owned or controlled by it, and in the expense of such work, and for such purposes or any of them to make contribution to such city, town or county by a grant of land or rights in land, although the same be already a roadway or boulevard, or by payment of money for its portion of such expense.

SECTION 4. This act shall take effect upon its passage.

Approved June 4, 1896.

Chap. 466 AN ACT INCREASING THE AMOUNT OF MONEY TO BE PLACED AT THE DISPOSAL OF THE METROPOLITAN PARK COMMISSION FOR GENERAL PURPOSES.

Be it enacted, etc., as follows :

Metropolitan
park com-
mission may
expend an
additional sum,
etc.

Treasurer to
issue scrip, etc.

SECTION 1. The metropolitan park commission, created by chapter four hundred and seven of the acts of the year eighteen hundred and ninety-three, for the purpose of carrying out the provisions of said act and of all acts in amendment thereof or in addition thereto, including chapters four hundred and eighty-three and five hundred and nine of the acts of the year eighteen hundred and ninety-four, and chapter four hundred and fifty of the acts of the year eighteen hundred and ninety-five, may expend the further sum of one million dollars in addition to all sums heretofore authorized to be expended by it; and to meet expenditures incurred under authority of this act the treasurer and receiver general shall issue a corresponding amount of scrip or certificates of indebtedness as an addition to the metropolitan parks loan, and shall add to the existing sinking fund heretofore authorized to provide for the payment of the same; said scrip or certificates of indebtedness shall be issued and additions to said sinking fund so established shall be assessed and collected in accordance with the provisions of sections nine, ten, eleven and twelve of said chapter four hundred and seven of the acts of the year eighteen hundred and ninety-three and the provisions of chapter two hundred and eighty-three of the acts of the year eighteen hundred and ninety-five.

SECTION 2. This act shall take effect upon its passage.

Approved June 4, 1896.

AN ACT IN ADDITION TO AN ACT MAKING AN APPROPRIATION FOR CONTINUING THE WORK OF EXTERMINATING THE GYPSY MOTH. Chap. 467

Be it enacted, etc., as follows:

SECTION 1. The sum of ninety thousand dollars is hereby appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, to be expended under the direction of the state board of agriculture for continuing the work of the extermination of the gypsy moth, this amount to be in addition to the ten thousand dollars appropriated by chapter three hundred and thirty-six of the acts of the present year. Extermination of the gypsy moth.

SECTION 2. This act shall take effect upon its passage.

Approved June 4, 1896.

AN ACT TO INCORPORATE THE BARNSTABLE COUNTY STREET RAILWAY COMPANY. Chap. 468

Be it enacted, etc., as follows:

SECTION 1. Samuel L. Minot, William B. Bacon, Abel D. Makepeace, William S. Hixon, John Foster, Willard Howland, Albert D. Bosson, Horace B. Maglathlin, George F. Baker, William J. Ladd, Edward C. Perkins, Nathaniel H. Stone and Benjamin F. Gibby, their associates and successors, are hereby made a corporation under the name of the Barnstable County Street Railway Company; with all the powers and privileges and subject to the duties, conditions and restrictions set forth in all general laws which now are or may hereafter be in force relating to street railway companies, except as hereinafter provided. Barnstable County Street Railway Company incorporated.

SECTION 2. Said company is hereby authorized to construct, maintain and operate a railway, with single or double tracks, and with convenient turn-outs and switches, in part upon private land, which it may take by purchase or lease, and over and upon such locations in any streets or highways in the towns of Falmouth, Mashpee and Barnstable as shall, subject to the provisions of section seven of chapter one hundred and thirteen of the Public Statutes, be fixed and determined by the selectmen of said towns respectively. Said company may acquire, by purchase or lease, all necessary real estate for its power station and for uses incidental to the proper maintenance of its railway. May construct, etc., its railway in certain towns.
May acquire necessary real estate.

Location.

SECTION 3. The location of said railway outside of public streets and highways shall not exceed fifty feet in width.

Motive power,
etc.

SECTION 4. Said company may maintain and operate said railway by any approved motive power other than steam, and with the consent of the selectmen of the towns, respectively, in which locations are granted as aforesaid, may make such surface and underground alterations of the streets and highways, and may erect and maintain such poles and wires thereon, and may erect and maintain such poles and wires on private lands acquired as aforesaid, as may be necessary to establish and maintain such motive power.

May use rail-
way for trans-
portation of
freight, etc.

SECTION 5. Said company is hereby authorized to use its railway for the transportation of freight and baggage, subject to the provisions of chapter seventy-three of the Public Statutes and of all laws relating to common carriers, and to maintain such wharves, docks and other structures connected therewith as may be by it deemed necessary for the transaction of its business, subject to the provisions of chapter nineteen of the Public Statutes.

Capital stock.

SECTION 6. The capital stock of said company shall not exceed one hundred thousand dollars, except that said company may increase its capital stock subject to the general laws applicable to such increase.

May issue
bonds.

SECTION 7. Said company may from time to time by vote of a majority in interest of its stockholders issue coupon or registered bonds, for a term not exceeding thirty years from the date thereof: *provided*, that no issue of bonds shall be made unless there shall have been actually paid in an amount of the capital stock equal to the amount of such issue. To secure payment of such bonds with interest thereon said company may make a mortgage of its road and franchise, and of any of its other property, and may include in such mortgage property thereafter to be acquired, and may therein reserve to the directors the right to sell or otherwise in due course of business to dispose of property included therein which may have become worn, damaged or unsuitable for use in the transaction of its business, provided that an equivalent in value is substituted therefor; and such mortgage shall be deemed to embrace the property so substituted. All bonds issued shall first be approved by some person appointed by the company for that purpose, who shall certify upon each

Proviso.

Bonds to be
approved, etc.

bond that it is properly issued and recorded. All stock and bonds authorized by this act shall be issued and disposed of in accordance with the provisions of all general laws relative to the issue of stock and bonds by street railway companies.

SECTION 8. The provisions of this act shall become void so far as relates to the rights of said company, if it shall not have constructed and put in operation at least five miles of railway prior to the first day of July in the year eighteen hundred and ninety-eight.

Portion of
railway to be
constructed,
etc., prior to
July 1, 1898.

SECTION 9. Said company may purchase electricity from any corporation organized under the laws of this Commonwealth for the manufacture and sale of electricity in the county of Barnstable.

May purchase
electricity.

SECTION 10. This act shall take effect upon its passage.

Approved June 4, 1896.

AN ACT RELATIVE TO ELECTIONS, CAUCUSES, VOTING LISTS, NOMINATION PAPERS, AND RECORDS AND CERTIFICATES OF ELECTION.

Chap. 469

Be it enacted, etc., as follows:

SECTION 1. Section sixty-two of chapter four hundred and seventeen of the acts of the year eighteen hundred and ninety-three is hereby amended by inserting after the word "town", in the second line, the words: — and in Boston the board of election commissioners, — by inserting after the word "register", in the sixth line, the words: — except that in the city of Boston in the years designated for general registration, the voting lists if deemed advisable by the election commissioners may be prepared by streets, — and by inserting after the word "May", in the ninth line, the words: — and in the city of Boston the age of each male voter therein, — so as to read as follows: —

1898, 417, § 62,
amended.

Section 62. The registrars of voters in each city and town, and in Boston the board of election commissioners, shall, from the names entered in the annual register of voters, prepare voting lists for use at the several elections to be held therein. In such voting lists they shall place in alphabetical order the names of all voters entered on the annual register, except that in the city of Boston in the years designated for general registration, the voting lists if deemed advisable by the election commissioners may be prepared by streets, and they shall place opposite the

Voting lists,
contents,
arrangement,
etc.

name of each voter his residence on the preceding first day of May, or at the time of his becoming an inhabitant of such city or town after the first day of May, and in the city of Boston the age of each male voter therein; and they shall place the names of women entered as voters in separate columns or lists. In cities they shall prepare such voting lists by wards, and if a ward of a city or a town is divided into voting precincts, they shall prepare the same by precincts, and shall place upon the lists for each ward or precinct, as the case may be, the names of all voters having therein a residence as above-provided. They shall place upon the voting lists no names not entered in the annual register.

1893, 417, § 64,
amended.

Copies of voting
lists to be
posted.

SECTION 2. Section sixty-four of said chapter four hundred and seventeen is hereby amended by inserting before the word "twenty", in the second line, the words: — except in the city of Boston, and in the city of Boston the board of election commissioners, — and by inserting after the word "Boston", in the fifth line, the words: — the board of election commissioners, except in the years designated for preparing new general registers, — so as to read as follows: — *Section 64.* The registrars of voters in every city and town, except in the city of Boston, and in the city of Boston the board of election commissioners, twenty days at least before the annual city or town election, and in every city and town except the city of Boston, thirty days at least before the annual state election, and in the city of Boston the board of election commissioners, except in the years designated for preparing new general registers, twenty-four days at least before the annual state election, shall cause to be posted in their principal office and in one or more other public places in the city or town, copies of the voting lists prepared in accordance with the provisions of the preceding sections. In every city and town divided into voting precincts, the registrars shall, in addition, cause copies of the voting lists of each precinct to be posted in one or more public places in the precinct.

1893, 417, § 65,
amended.

SECTION 3. Section sixty-five of said chapter four hundred and seventeen is hereby amended by inserting after the word "voters", in the fourth line, the words: — and in Boston the board of election commissioners, — by inserting after the word "registrars", in the eighth line, the words: — or in the city of Boston the board of election commissioners, — and by adding at the end of the section,

the words : — In the city of Boston in the years designated for preparing new general registers, as provided by section six of chapter four hundred and forty-nine of the acts of the year eighteen hundred and ninety-five, the board of election commissioners shall as often as once in each week during the period of such general registration cause to be printed in some one newspaper published in said Boston such names, as near as may be, as shall have been placed upon the general registers during the six days next preceding the date of such publication, — so as to read as follows : — *Section 65.* After the voting lists have been prepared from the annual register and copies thereof have been posted as provided in the preceding sections, the registrars of voters, and in Boston the board of election commissioners, shall, within forty-eight hours after adding a new name to the annual register, cause such name to be added to the lists so posted in their principal office. If, however, a city or town shall authorize the registrars, or in the city of Boston the board of election commissioners, to publish the names so added to the register, they may, instead of posting as aforesaid, cause all additional names to be printed in some one newspaper published in the city or town, or, if no newspaper is so published, then in some one newspaper published in the county in which such city or town is situated. In the city of Boston in the years designated for preparing new general registers, as provided by section six of chapter four hundred and forty-nine of the acts of the year eighteen hundred and ninety-five, the board of election commissioners shall as often as once in each week during the period of such general registration cause to be printed in some one newspaper published in said Boston such names, as near as may be, as shall have been placed upon the general registers during the six days next preceding the date of such publication.

Additional names to be posted or published, etc.

SECTION 4. Section seventy-two of said chapter four hundred and seventeen is hereby amended by inserting after the word “shall”, in the second line, the words : — be issued not less than seven days prior to the day on which said caucus is to be held, and shall state the place where and the day and hour when the said caucus is to be held, and shall be conspicuously placed or posted in at least five places on a line or lines of public travel, and, if practicable, in every post office within the city or town

1893, 417, § 72, amended.

Notices of
caucuses.

wherein the caucus is to be held, or shall be published at least twice in any one or more local newspapers, if any. Said notice shall, — so as to read as follows: — *Section 72.* The notice for a caucus under the provisions of this title shall be issued not less than seven days prior to the day on which said caucus is to be held, and shall state the place where and the day and hour when the said caucus is to be held, and shall be conspicuously placed or posted in at least five places on a line or lines of public travel, and, if practicable, in every post office within the city or town wherein the caucus is to be held, or shall be published at least twice in any one or more local newspapers, if any. Said notice shall designate by name or office the person who shall call such caucus to order; and the person so designated shall call the caucus to order and preside until a chairman is chosen. In case however the person so designated shall be absent at the time appointed, the caucus may choose a temporary chairman to act in place of such person. The organization of the caucus by the choice of a chairman, secretary, and such other officers as the meeting may require, shall be the first business in order.

Temporary
chairman;
organization.

1893, 417, § 78,
etc., amended.

SECTION 5. Section seventy-eight of said chapter four hundred and seventeen as amended by section one of chapter two hundred and sixty-two of the acts of the year eighteen hundred and ninety-five is hereby amended by inserting after the word “any”, in the fourth line, the words: — except that any voter who is prevented from writing by a physical disability or who had the right to vote on the first day of May in the year eighteen hundred and fifty-seven may authorize some other person to write his name and place of residence in his presence, — by inserting after the word “town”, in the eleventh line, the words: — and in Boston the board of election commissioners, — by inserting after the word “are”, in the sixteenth line, the words: — election commissioners or, — by inserting after the word “registrars”, in the seventeenth line, the words: — or said board of election commissioners, — and by inserting after the word “thereto”, in the twenty-first line, the words: — and names upon nomination papers not certified in the first instance by the registrars or board of election commissioners shall not thereafter be certified by them on the same nomination papers, — so as to read as follows: — *Section 78.* Every voter signing a nomination paper shall sign the same in person,

Nomination
papers, signa-
tures, etc.

and shall add to his signature his place of residence, with the street and number thereof, if any; except that any voter who is prevented from writing by a physical disability or who had the right to vote on the first day of May in the year eighteen hundred and fifty-seven may authorize some other person to write his name and place of residence in his presence; and every voter may subscribe to as many nominations for each office to be filled as there are persons to be elected thereto, and no more. Women qualified to vote for members of the school committee may sign nomination papers for candidates for the school committee. Every nomination paper shall, before being filed, be seasonably submitted to the registrars of voters of the city or town, and in Boston the board of election commissioners, in which the signers purport to be qualified voters, and the registrars, or a majority of the board, to whom the same is submitted, shall forthwith certify thereon the number of signatures which are names of qualified voters both in the city or town for which they are election commissioners or registrars and in the district or division for which the nomination is made. The registrars or said board of election commissioners shall not however be required in any case to certify upon a nomination paper a greater number of names than such number as is required to make a nomination as aforesaid, with one fifth of such number added thereto, and names upon nomination papers not certified in the first instance by the registrars or board of election commissioners shall not thereafter be certified by them on the same nomination papers, and the secretary of the Commonwealth shall not be required in any case to receive and file nomination papers after receiving and filing such papers containing a sufficient number of certified names to make a nomination, with one fifth of such number added thereto. One of the signers to each separate nomination paper shall swear that the statements therein are true, to the best of his knowledge and belief, and the certification of such oath and the post office address of the signer shall be annexed to such paper.

Women may sign for school committee, etc.

Registrars' certificate, etc.

Oath of signer etc.

SECTION 6. Section seventy-nine of said chapter four hundred and seventeen is hereby amended by inserting after the word "words", in the seventh line, the words: — All certificates of nomination shall also contain a statement of what provision, if any, was made by the caucus or convention for filling vacancies caused by the death,

1893, 417, § 79, amended.

Contents of
certificates of
nomination and
nomination
papers.

withdrawal or ineligibility of candidates, — by inserting after the word “term”, in the twentieth line, the words: — which name or term shall not be the name of any party which cast at the last preceding election more than three thousand votes for governor, — and by inserting before the word “and”, in the twenty-third line, the words: — which designation shall not be changed after being once placed upon the paper, — so as to read as follows:—

Section 79. All certificates of nomination and nomination papers shall, besides containing the names of candidates, specify as to each: (1) his place of residence with street and number thereon, if any; (2) the office for which he is nominated; and (3), except as hereinafter provided, the party or political principle which he represents, expressed in not more than three words. All certificates of nomination shall also contain a statement of what provision, if any, was made by the caucus or convention for filling vacancies caused by the death, withdrawal or ineligibility of candidates. In the case of electors of president and vice president of the United States, the names of the candidates for president and vice president may be added to the party or political designation. To the name of each candidate for the office of alderman at large in a city shall be added the number or letter of the ward in which the candidate resides.

Designation in
certain cases.

If a candidate is nominated otherwise than by a political party which at the preceding annual state election polled for governor three per centum of the entire vote cast for that office, the name of a party so polling three per centum of such entire vote shall not be used in the party or political designation of such candidate, except as describing and preceding some other name or term, which name or term shall not be the name of any party which cast at the last preceding election more than three thousand votes for governor; and if so used in case of a candidate nominated by a nomination paper, the designation of such candidate shall consist of not more than two words, which designation shall not be changed after being once placed upon the paper; and to such designation shall be added the words “nomination paper”, or, as abbreviated, “nom. paper”. Certificates of nomination and nomination papers for the nomination of candidates for town offices may include a designation of the party or principle which the candidate represents, but no such designation shall be necessary.

SECTION 7. Section two of chapter two hundred and fifty-three of the acts of the year eighteen hundred and ninety-five is hereby repealed; and section eighty-seven of chapter four hundred and seventeen of the acts of the year eighteen hundred and ninety-three is amended by adding at the end thereof the words: — In case of vacancies caused by withdrawal, certificates of nomination under this section made otherwise than in the original manner shall be filed in the office of the secretary or clerk, as the case may be, within a reasonable time, not exceeding seventy-two hours after the last day and hour for filing withdrawals, and they shall be open to objection in the same manner, as far as practicable, as provided in section eighty-five of this act, in regard to certificates of original nominations. No vacancy caused by withdrawal shall be filled before the withdrawal shall be duly filed in the office of the secretary or clerk, as the case may be, — so as to read as follows: — *Section 87.* In case a candidate who has been duly nominated for a state, city or town office, shall die before the day of election, or shall cause his name to be withdrawn from nomination, in accordance with the provisions of this title, or shall be found in accordance with the provisions thereof to be ineligible to the office for which he is nominated, the vacancy may be supplied by the political party or other persons making the original nomination, in the manner in which such nomination was originally made; or if the time is insufficient therefor, then the vacancy may be supplied, if the nomination was made by a convention or caucus, in such manner as the convention or caucus has previously provided for the purpose, or, in case no such previous provision has been made, then by a regularly elected general or executive committee representing the political party or persons holding such a convention or caucus. In case of vacancies caused by withdrawal certificates of nomination under this section made otherwise than in the original manner shall be filed in the office of the secretary or clerk, as the case may be, within a reasonable time, not exceeding seventy-two hours after the last day and hour for filing withdrawals, and they shall be open to objection in the same manner, as far as practicable, as provided in section eighty-five of this act, in regard to certificates of original nominations. No vacancy caused by withdrawal shall be filled before the withdrawal shall

1895, 253, § 2,
repealed.

1893, 417, § 87,
amended.

Nomination in
cases of death,
withdrawal,
etc., of can-
didates.

Certificates of
nomination to
be open to
objection, etc.

be duly filed in the office of the secretary or clerk, as the case may be.

1898, 417, § 149,
etc., amended.

SECTION 8. Section one hundred and forty-nine of said chapter four hundred and seventeen as amended by section one of chapter two hundred and seventy-five of the acts of the year eighteen hundred and ninety-five is hereby amended by inserting after the word "held", in the forty-first line, the words: — Pastors to be placed on the official ballot shall be subject to all the restrictions imposed by sections seventy-nine and one hundred and thirty-two as to the names, residences and political designations of candidates and the size of type in which the names shall be printed, — so as to read as follows: — *Section 149.* The presiding election officer at each polling place in a city or town shall, on the day of any election of state or city officers, before the opening of the polls, open the package containing the cards of instruction, specimen ballots and copies of any proposed amendments to the constitution, which have been received for such polling place, and shall cause not less than three such cards and three such copies, if any, and not less than five specimen ballots to be posted in and about the polling place outside the guard rail, and shall also cause the cards of instruction and a copy of any proposed amendment to be posted at or in each marking shelf or compartment inside the guard rail; and no other poster, card, handbill, placard, picture or circular, except a paster to be placed upon the official ballot, intended to influence the action of the voter, shall be posted, circulated or distributed in the polling place, in the building in which the polling place is located, or on the walls thereof, or on the premises on which the building stands, or on the sidewalk adjoining the premises where such election is being held. The presiding election officer at each polling place shall at the opening of the polls at any such election publicly break the seals of the packages containing the ballots for distribution at such polling place, open the packages, and deliver the ballots to the ballot clerks.

State and city
elections,
posting of
instructions,
etc.

Delivery of
ballots to ballot
clerks.

Town elections,
posting of
instructions,
etc.

In elections of town officers in towns, for which ballots have by law been provided at the expense of the town, the town clerk shall, on the day of election, before the opening of the polls, cause not less than three cards of instruction and not less than five specimen ballots to be posted in or about the polling place outside the guard rail, and shall cause cards of instruction to be posted at or in

each marking shelf or compartment inside the guard rail, and no other poster, card, handbill, placard, picture or circular, except a paster to be placed upon the official ballot, intended to influence the action of the voter, shall be posted, circulated or distributed in the polling place, in the building in which the polling place is located, or on the walls thereof, or on the premises on which the building stands, or on the sidewalk adjoining the premises where such election is being held. Pastors to be placed on the official ballot shall be subject to all the restrictions imposed by sections seventy-nine and one hundred and thirty-two as to the names, residences and political designations of candidates and the size of type in which the names shall be printed.

Pasters placed on official ballots to be subject to certain restrictions.

The town clerk shall likewise on the day of election, before the opening of the polls, deliver the ballots to the ballot clerks, who shall receipt therefor, and their receipt shall be preserved in the office of the clerk for the period of one year. No such ballots shall, however, be delivered to voters until a moderator has been chosen in the manner provided by law.

Delivery of ballots to ballot clerks, receipts, etc.

SECTION 9. Section one hundred and seventy-nine of said chapter four hundred and seventeen is hereby amended by inserting after the word "days", in the second line, the words: — and in the city of Boston the board of election commissioners shall, within fifteen days, — by striking out in the fifth and sixth lines, the words "commissioners of insolvency", by inserting after the word "selectmen", in the eleventh line, the words: — or by said board of election commissioners, — by inserting after the word "clerk", in the twelfth line, the words: — or by said board of election commissioners, — by inserting after the word "transmitted", in the twenty-fourth line, the words: — by said board of election commissioners, — and by inserting after the word "clerks", in the thirtieth line, the words: — and said board, — so as to read as follows: — *Section 179.* The city or town clerk of every city and town shall, within ten days, and in the city of Boston the board of election commissioners shall, within fifteen days from the day of any election therein for representative in congress, governor, lieutenant governor, councillor, secretary, treasurer and receiver general, auditor, attorney-general, clerk of courts, register of probate and insolvency, sheriff, district attorney, or senator, or for electors of president and vice

1896, 417, § 179, amended.

Returns of votes to secretary.

Returns of votes
to county com-
missioners and
clerks of courts.

Returns of votes
in county of
Suffolk.

To be trans-
mitted in en-
velopes prop-
erly endorsed.

1895, 489, § 4,
amended.

Ward and town
committees,
election, term,
etc.

president of the United States, transmit to the secretary of the Commonwealth copies of the records of the votes for such officers, which copies shall be certified by the board of aldermen or the selectmen, or by said board of election commissioners, as the case may be, and shall be attested and sealed by the clerk, or by said board of election commissioners. The city or town clerk of every city and town shall, in like manner, within ten days after an election therein for county treasurer or register of deeds, transmit to the county commissioners of the county for which such officers are to be chosen, copies of the records of the votes for such officers, certified, attested and sealed as aforesaid; and shall within ten days after an election therein for county commissioner or special commissioners, transmit to the clerk of the courts for the county the records of the votes for such officers, so certified, attested and sealed; except that the records of the votes cast in the county of Suffolk for register of deeds shall be transmitted by said board of election commissioners to the board of aldermen of the city of Boston, and the records of the votes cast in the city of Chelsea and the towns of Revere and Winthrop in said county, for county commissioner and special commissioners, shall be transmitted to the clerk of the courts for the county of Middlesex.

The city and town clerks and said board shall transmit all such copies of the records of votes in envelopes, upon the outside of which they shall specify the offices for which the votes were cast, and, in case officers are elected for divisions of the Commonwealth, the divisions in which the votes are cast.

SECTION 10. Section four of chapter four hundred and eighty-nine of the acts of the year eighteen hundred and ninety-five is hereby amended by inserting after the word "election", in the eleventh line, the words:—and until their successors shall have organized, — so as to read as follows:—*Section 4.* Each political party shall in every ward and town annually elect a committee to be called in the case of a town a town committee, and in the case of a ward a ward committee, which shall consist of not less than three persons, who shall hold office for one year from the first day of January next following their election and until their successors shall have organized, except that whenever a ward committee shall be elected between the first day of January and the first day of June, the mem-

bers thereof shall hold office for one year from the first day of June next following their election and until their successors shall have organized.

The members of the several ward committees of a political party in a city shall constitute a committee to be called a city committee. Each town committee shall annually, on a date between the first day of January and the first day of March following, and each city committee shall, within thirty days from the beginning of their term of office, meet and organize by the choice of a chairman, a secretary and a treasurer, and such other officers as they may decide to elect.

City and town committees, organization.

SECTION 11. Section ten of chapter four hundred and eighty-nine of the acts of the year eighteen hundred and ninety-five is hereby amended by inserting after the word "meeting", in the tenth line, the words:— of a political party, — so as to read as follows:— *Section 10.* Every caucus of a political party in a town or city shall be called by a written or printed notice specifying that the same is to be held in accordance with the provisions of the caucus act of eighteen hundred and ninety-five, and the provisions thereof shall then apply to the conduct and proceedings of any such caucus, but nothing herein shall prevent the enforcement at such caucus of further regulations not inconsistent with the provisions of this act. Except as above-provided, no caucus or meeting of a political party shall be entitled to nominate a candidate for a public office, whose name shall be placed on the ballots provided in accordance with the provisions of chapter four hundred and seventeen of the acts of the year eighteen hundred and ninety-three and acts in amendment thereof and in addition thereto, or shall be entitled to select delegates to a political convention for the nomination of a candidate, whose name shall be placed on the ballots so provided.

1895, 489, § 10, amended.

Calling of caucuses, etc.

SECTION 12. Section three of chapter five hundred and seven of the acts of the year eighteen hundred and ninety-five is hereby amended by inserting in the fifth line, after the word "election", the words:— shall be called and held as herein provided and, — and by inserting in the twenty-second line, after the word "clerk", the words:— or in the city of Boston the board of election commissioners, — so as to read as follows:— *Section 3.* All caucuses of a political party in said cities and towns for the choice of candidates to be voted for at a city or town

1895, 507, § 3, amended.

Certain caucuses to be held on same day.

election, and for the choice of delegates to a convention to nominate candidates to be voted for at a city or town election, shall be called and held as herein provided and shall be held on the same day in each city and town, except such caucuses as relate to a special election: *provided, however*, that in said cities or towns caucuses for the choice of delegates to a convention to nominate candidates to be voted for by the city or town at large may be held upon a different day from the other caucuses above-mentioned. All caucuses for the choice of a ward committee shall be held on the same day, which may be the same as the day for holding caucuses for the choice of candidates to be voted for at a city election. The city or town committee shall determine the days upon which all the caucuses mentioned in this section shall be held, and all calls for the same shall be issued by the chairman and secretary of the city or town committee.

Proviso.

City or town committee to determine days, etc.

Party first filing copy of call entitled to precedence.

1896, 507, § 7, amended.

Nominations to be made by nomination papers.

Signatures.

To be members of party.

To sign in person, etc.

No two political parties shall hold their caucuses on the same day. The party first filing with the city or town clerk, or in the city of Boston the board of election commissioners, a copy of the call for a caucus shall be entitled to precedence on the day named.

SECTION 13. Section seven of chapter five hundred and seven of the acts of the year eighteen hundred and ninety-five is hereby amended by adding at the end of the section the words:—No nomination paper offered for filing shall be received or deemed to be valid unless there shall be presented for filing with such nomination paper the written acceptance of the candidate or candidates for an elective office thereby nominated,—so as to read as follows:—*Section 7.* Nominations by members of a political party of candidates for elective offices, for delegates to a convention, for caucus officers, and for a ward or town committee to be voted for at a caucus, shall be made by nomination papers, as hereinafter provided.

Such papers shall contain the signatures of not less than five legal voters of the ward or town in which the caucus is to be held.

Said voters shall be members of the political party whose caucus is to be held.

Every voter signing a nomination paper shall sign the same in person, and shall add to his signature the street and number, if any, of his residence.

Nomination papers placing candidates in nomination shall not contain a larger number of names of candidates than there are persons to be elected. They may contain a less number. Number of names limited.

No nomination paper offered for filing shall be received or deemed to be valid unless there shall be presented for filing with such nomination paper the written acceptance of the candidate or candidates for an elective office thereby nominated. Written acceptance to be presented with nomination papers.

SECTION 14. Section thirty of chapter five hundred and seven of the acts of the year eighteen hundred and ninety-five is hereby amended by striking out all of said section and inserting in place thereof the following:— 1895, 507, § 30, amended.

Section 30. In the case of a newly incorporated city, or in the case of re-division into wards of a city to which the provisions of this act apply, at the first caucuses held in the next succeeding year the caucus officers to serve in such caucuses shall be appointed by the city committee; and at the aforesaid caucuses the regular caucus officers shall be chosen as hereinbefore provided. Each officer so chosen shall hold office for one year from the first day of October succeeding his election and until his successor is elected. In case of such re-division of a city into wards any political party may in the next succeeding year elect its ward committees, to serve for such terms, not exceeding the length of the terms for which the former committees were chosen, as the city committee existing at the time of calling the caucuses may determine, and thereafter shall elect such committees at the times and for the terms prescribed by law. Appointment of caucus officers to serve at first caucus in a newly incorporated city or a re-division into wards.

SECTION 15. This act shall take effect upon its passage.

Approved June 4, 1896.

AN ACT RELATIVE TO THE SURRENDER VALUE OF ENDOWMENT POLICIES. **Chap. 470**

Be it enacted, etc., as follows:

Section seventy-six of chapter five hundred and twenty-two of the acts of the year eighteen hundred and ninety-four is hereby amended by striking out in the thirty-fifth, thirty-sixth and thirty-seventh lines, the words “*provided*, that from the surrender value of all endowment policies the company may deduct five per cent.”, and by striking out in the forty-fifth and forty-sixth lines, the words 1894, 522, § 76, amended.

“*provided*, that from such net value of all endowment policies the company may deduct five per cent.”, so as to read as follows:— *Section 76.* All policies hitherto issued by any domestic life insurance company shall be subject to the provisions of law applicable and in force at the date of such issue. No policy of life or endowment insurance hereafter issued by any such company shall become forfeit or void for non-payment of premium after two full annual premiums, in cash or note, or both, have been paid thereon; but in case of default in the payment of any subsequent premium, then, without any further stipulation or act, such policy shall be binding upon the company for the amount of paid up insurance which the then net value of the policy and all dividend additions thereon, computed by the rule of section eleven, less any indebtedness to the company on account of said policy, and less the surrender charge provided herein, will purchase as a net single premium for life or endowment insurance maturing or terminating at the time and in the manner provided in the original policy contract; and such default shall not change or affect the conditions or terms of the policy, except as regards the payment of premiums and the amount payable thereon. Said surrender charge shall be eight per cent. of the insurance value of the policy at the date of default, which insurance value is the present value of all the normal future yearly costs of insurance, which by its terms said policy is exposed to pay in case of its continuance, computed upon the rate of mortality and interest assumed in section eleven. Every such policy, after the payment of two full annual premiums thereon, or when by its terms it has become paid up, shall have a surrender value which shall be its net value, less the surrender charge, and less any indebtedness to the company on account of the said policy, and its holder may, upon any subsequent anniversary of its issue, surrender the same and claim and recover from the company such surrender value in cash. On policies of prudential or industrial insurance on which the weekly premiums are not more than fifty cents each, the surrender value in all cases shall be payable in cash. Upon surrender, on any anniversary of its issue, of a policy which has become paid up after the payment of two full annual premiums, by force of the statute, upon default in payment of premium, the holder shall be entitled to its net value, payable in cash. But no

Non-forfeiture
of policies.

Paid up and
cash surrender
values.

Policies to have
a surrender
value.

Payment to be
in cash, etc.

surrender of a policy shall be made without the written assent of the person to whom the policy is made payable. Any condition or stipulation in the policy or elsewhere, contrary to the provisions of this section, and any waiver of such provisions by the insured, shall be void.

Approved June 4, 1896.

AN ACT TO AUTHORIZE THE TOWN OF SHARON TO MAKE AN ADDITIONAL WATER LOAN.

Chap. 471

Be it enacted, etc., as follows :

SECTION 1. The town of Sharon, for the purposes mentioned in chapter two hundred and forty-one of the acts of the year eighteen hundred and ninety-four, and for the further extension and maintenance of its water supply system, may issue bonds, notes or scrip from time to time to be denominated on the face thereof, Sharon Water Loan, to an amount not exceeding ten thousand dollars in addition to the amounts heretofore authorized by law to be issued by said town for the same purposes. Said bonds, notes or scrip shall be issued upon the same terms and conditions and with the same powers as are provided in said act for the issue of the Sharon water loan by said town: *provided*, that the whole amount of said bonds, notes or scrip issued by said town, together with those heretofore issued for the same purposes, shall not exceed the sum of one hundred and fifty-five thousand dollars.

Sharon Water Loan.

Provido.

SECTION 2. This act shall take effect upon its passage.

Approved June 4, 1896.

AN ACT INCREASING THE AMOUNT OF MONEY PLACED AT THE DISPOSAL OF THE METROPOLITAN PARK COMMISSION FOR THE CONSTRUCTION OF ROADWAYS AND BOULEVARDS.

Chap. 472

Be it enacted, etc., as follows :

SECTION 1. The metropolitan park commission, created by chapter four hundred and seven of the acts of the year eighteen hundred and ninety-three, may, for the purposes of constructing roadways and boulevards under the authority of chapter two hundred and eighty-eight of the acts of the year eighteen hundred and ninety-four and of any acts in amendment thereof or in addition thereto, expend the further sum of five hundred thousand dollars in addition to all sums hitherto authorized to be expended by it, for the purposes of constructing such roadways and

Metropolitan Parks Loan, Series Two.

Sinking fund,
etc.

boulevards; and to meet any expenditure under the authority of this act the treasurer and receiver general shall issue a corresponding amount of scrip or certificates of indebtedness or bonds as an addition to the Metropolitan Parks Loan, Series Two. The sinking fund already established by law shall also be maintained for the purpose of extinguishing scrip, certificates or bonds issued under the authority of this act. Any premium realized on the sale of said scrip or certificates or bonds shall be applied to the payment of the interest on the loan hereby authorized, as it accrues. Said scrip or certificates of indebtedness or bonds shall be issued and said sinking fund assessed and collected in accordance with the provisions of said chapter two hundred and eighty-eight of the acts of the year eighteen hundred and ninety-four.

SECTION 2. This act shall take effect upon its passage.

Approved June 4, 1896.

Chap. 473 AN ACT RELATIVE TO THE ISSUE OF STOCKS AND BONDS BY GAS AND ELECTRIC LIGHT COMPANIES.

Be it enacted, etc., as follows:

Gas and electric
light commis-
sioners may
prescribe con-
ditions, etc., to
repair capital
stock in certain
cases.

SECTION 1. Whenever, upon the application of any gas or electric light company to the board of gas and electric light commissioners for permission to issue new capital stock or bonds, pursuant to chapter four hundred and fifty of the acts of the year eighteen hundred and ninety-four, the board shall determine that the fair structural value of the plant of such company is less than its outstanding stock and debt, the board, if it shall approve an issue of new stock or bonds, may prescribe to the company such conditions and requirements as it deems best adapted to repair the capital stock within a reasonable time, or, before allowing an increase, may require the capital stock to be reduced by a prescribed amount, not exceeding the amount of impairment; which amount of impairment and the conditions and requirements imposed shall be stated in the annual report of the board. The supreme judicial court or the superior court, on the application of the board or of any interested party, may compel such company, by any appropriate process, to comply with any condition or requirement prescribed as aforesaid.

SECTION 2. This act shall take effect upon its passage.

Approved June 4, 1896.

AN ACT TO AUTHORIZE THE ENFIELD AND LONGMEADOW ELECTRIC RAILWAY COMPANY TO EXTEND ITS RAILWAY ACROSS THE STATE LINE, TO AND INTO THE CITY OF SPRINGFIELD.

Chap. 474

Be it enacted, etc., as follows :

SECTION 1. The Enfield and Longmeadow Electric Railway Company of Enfield in the state of Connecticut is hereby authorized to extend its tracks and wires across the state line, into and through the town of Longmeadow in this Commonwealth, to and into the city of Springfield, with power to construct, maintain and operate a street railway by electricity or other power, except steam power, with suitable tracks and turn-outs of the standard gauge, upon and over Longmeadow street in the town of Longmeadow, and upon and over Main street in said Springfield, extending from the Longmeadow line to Gardner street, and upon and over Gardner, Water and Hampden streets in said Springfield: *provided, however*, that said company shall not so construct its railway through said streets until it shall obtain permission to do so by obtaining from the selectmen of the town of Longmeadow and from the board of mayor and aldermen of the city of Springfield, respectively, a location of its tracks under the provisions of the general laws relating to street railways.

The Enfield and Longmeadow Electric Railway Company may extend its tracks, etc., into Longmeadow and Springfield.

Proviso.

SECTION 2. Said company shall, as to that part of its road in this Commonwealth, be subject to and shall comply with all the general laws which now are or hereafter may be in force relating to street railways, and shall be subject to the jurisdiction and supervision of the board of railroad commissioners to the same extent as if incorporated under the general laws of this Commonwealth.

Subject to certain general laws, etc.

SECTION 3. For the purposes aforesaid, and for any other purpose specified in chapter three hundred and sixteen of the acts of the year eighteen hundred and eighty-nine, said company may from time to time issue its capital stock and bonds; but only such amounts of stock and bonds shall be issued and for such purposes only as have been authorized by the board of railroad commissioners under chapter four hundred and sixty-two of the acts of the year eighteen hundred and ninety-four and any other laws applicable thereto.

Capital stock, etc.

SECTION 4. Before doing business in this Commonwealth said company shall, by a duly executed instrument filed in the office of the commissioner of corporations,

To appoint commissioner of corporations its lawful attorney, etc.

Service of
process.

appoint said commissioner or his successor its true and lawful attorney, upon whom all lawful processes in any action or legal proceeding against it may be served; and shall stipulate therein that any lawful process against it which is served on its said attorney shall be of the same legal force and validity as if served on said company, and that such authority shall be irrevocable so long as any liability of said company remains outstanding in this Commonwealth. Service of such process shall be made by leaving the same in the hands or office of said commissioner. Copies of said instrument certified by the commissioner shall be deemed sufficient evidence thereof, and service upon the commissioner shall be deemed sufficient service upon said company.

Injunction may
issue under
certain
conditions.

SECTION 5. In case the said company shall fail to comply with the provisions hereof, or with the laws of the Commonwealth hereby made applicable to it, or with any lawful orders or requirements of the board of railroad commissioners, any court having jurisdiction in equity, on the application of the attorney-general or of the board of railroad commissioners, may issue an injunction restraining the further operation of the railway of said company in this Commonwealth until said company shall comply with such provisions of law and the lawful requirements and orders of said board.

Portion of
railway to be
taxed as real
estate.

SECTION 6. So much of the railway of said company and of the wires and poles connected therewith as shall be in this Commonwealth shall, so long as owned by said company, be taxed as real estate in the town or city in which it is located.

To be subject
to alteration,
etc.

SECTION 7. This act shall be subject to alteration, modification or repeal by the legislature.

SECTION 8. This act shall take effect upon its passage.

Approved June 4, 1896.

Chap. 475 AN ACT TO CHANGE THE NAME OF THE SECOND UNIVERSALIST SOCIETY OF DANVERS.

Be it enacted, etc., as follows:

Name changed.

SECTION 1. The name of The Second Universalist Society of Danvers, a religious society organized under that name on the sixth day of April in the year eighteen hundred and thirty-two, and which has also been known as The Universalist Society of South Danvers, The First

Universalist Society of South Danvers and the First Universalist Parish of Peabody, is hereby changed to The First Universalist Parish of Peabody, and all acts and doings of said society under any of said names are hereby confirmed.

SECTION 2. All devises, bequests, conveyances and gifts heretofore or hereafter made to said corporation under any of said names shall vest in The First Universalist Parish of Peabody.

Devises, bequests, etc.

SECTION 3. This act shall take effect upon its passage.

Approved June 4, 1896.

AN ACT PROVIDING FOR THE APPOINTMENT OF SPECIAL COMMISSIONERS.

Chap. 476

Be it enacted, etc., as follows:

SECTION 1. The governor, by and with the advice and consent of the council, may appoint women over twenty-one years of age special commissioners, and after being duly qualified they may legally perform all acts pertaining to that office as specified in chapter two hundred and fifty-two of the acts of the year eighteen hundred and eighty-three and in chapter one hundred and ninety-seven of the acts of the year eighteen hundred and eighty-nine.

Appointment of women as special commissioners.

SECTION 2. If any woman holding a commission as a special commissioner by appointment under this act shall change her name by marriage or otherwise her commission shall thereby terminate; but such marriage shall not disqualify her for reappointment at any time thereafter.

Commission to terminate under certain conditions.

SECTION 3. This act shall take effect upon its passage.

Approved June 4, 1896.

AN ACT TO AUTHORIZE TOWNS TO APPROPRIATE MONEY FOR THE PURPOSE OF MARKING SPOTS OF HISTORIC INTEREST.

Chap. 477

Be it enacted, etc., as follows:

SECTION 1. Towns may at any annual meeting held before the first day of January in the year nineteen hundred and two appropriate money for the purpose of marking spots of historic interest within their limits.

Towns may appropriate money for marking spots of historic interest.

SECTION 2. This act shall take effect upon its passage.

Approved June 4, 1896.

Chap.478 AN ACT TO AUTHORIZE THE CITY OF MARLBOROUGH TO MAKE AN
ADDITIONAL WATER LOAN.

Be it enacted, etc., as follows:

Marlborough
Water Loan.

SECTION 1. The city of Marlborough, for the purpose of meeting the expense of completing its additional water supply authorized by chapter three hundred and eighty-six of the acts of the year eighteen hundred and ninety-two and of extending, increasing and improving its water supply and water service, may borrow money from time to time and may issue negotiable notes, bonds or scrip therefor, to an amount not exceeding in the aggregate fifty thousand dollars in addition to the amount of indebtedness which said city has heretofore been authorized to incur. Such bonds, notes or scrip shall be signed by the treasurer of said city and countersigned by the mayor, and shall be denominated on the face thereof, Marlborough Water Loan, Act of 1896, shall be payable at the expiration of periods not exceeding thirty years from the date of issue, and shall bear such rate of interest, not exceeding six per cent. per annum, as the city council shall determine. The said city may sell such securities at public or private sale, or pledge the same for not less than the par value thereof for money borrowed for the purposes aforesaid, upon such terms and conditions as it may deem proper, and may make payable annually a fixed proportion of the principal of said bonds, notes or scrip; and said city shall annually raise by taxation the amount required to meet such interest and the proportion of the principal payable annually. The sinking funds of any loans of said city may be invested in said bonds, notes or scrip.

SECTION 2. This act shall take effect upon its passage.

Approved June 4, 1896.

Chap.479 AN ACT TO AUTHORIZE THE CITY OF FALL RIVER TO INCUR IN-
DEBTEDNESS FOR SEWERAGE PURPOSES.

Be it enacted, etc., as follows:

May incur
indebtedness
beyond debt
limit, etc.

SECTION 1. The city of Fall River, for the purpose of constructing sewers and extending its sewerage system, may incur indebtedness beyond its debt limit to an amount not exceeding one hundred thousand dollars, and may issue bonds, notes or scrip therefor. Said bonds, notes or scrip shall be payable within such period, not exceeding

thirty years from the date thereof, and shall bear such rate of interest, as the city council shall determine. Except as herein otherwise provided the provisions of chapter twenty-nine of the Public Statutes and acts in amendment thereof and in addition thereto shall, so far as applicable, apply to the indebtedness hereby authorized and to the securities issued therefor.

P. S. 29, etc., to apply.

SECTION 2. This act shall take effect upon its passage.

Approved June 4, 1896.

AN ACT RELATIVE TO STATION RECORDS REQUIRED TO BE KEPT BY COMPANIES ENGAGED IN THE SUPPLY EITHER OF GAS OR OF ELECTRICITY FOR LIGHTING.

Chap. 480

Be it enacted, etc., as follows:

SECTION 1. Chapter three hundred and fifty-six of the acts of the current year is hereby amended by striking out the word "and", in the fourth line of the first section thereof, and inserting in place of the same the word:— or,— so that said section shall read as follows:— Commencing on the first day of July in the year eighteen hundred and ninety-six every person, corporation or municipality engaged in the manufacture or sale of gas or electricity for lighting shall keep such records of its work and doings at its manufacturing station, and in respect to its distributing plant, as the board of gas and electric light commissioners may from time to time require; and said records shall be in such form as may be prescribed by said board.

1896, 356, amended.

Manufacturers of gas or electricity to keep certain records.

SECTION 2. This act shall take effect upon its passage.

Approved June 4, 1896.

AN ACT RELATIVE TO THE CONSTRUCTION OF STATE HIGHWAYS.

Chap. 481

Be it enacted, etc., as follows:

SECTION 1. The Massachusetts highway commission is hereby authorized to expend a sum not exceeding six hundred thousand dollars for the construction of state highways, in accordance with the provisions of chapter four hundred and seventy-six of the acts of the year eighteen hundred and ninety-three and chapter four hundred and ninety-seven of the acts of the year eighteen hundred and ninety-four.

Construction of state highways.

SECTION 2. No persons except citizens of this Commonwealth shall be employed on the work authorized by this act.

Only citizens of the Commonwealth to be employed.

State Highway
Loan.

SECTION 3. For the purpose of meeting any expenses which may be incurred under the provisions of this act the treasurer and receiver general is hereby authorized, with the approval of the governor and council, to issue scrip or certificates of indebtedness to an amount not exceeding six hundred thousand dollars, for a term not exceeding thirty years. Said scrip or certificates of indebtedness shall be issued as registered bonds or with interest coupons attached, and shall bear interest not exceeding four per cent. per annum, payable semi-annually on the first day of April and of October in each year. Such scrip or certificates of indebtedness shall be designated on their face as the State Highway Loan, shall be countersigned by the governor, and shall be deemed a pledge of the faith and credit of the Commonwealth; and the principal and interest thereof shall be paid at the times specified therein in gold coin of the United States or its equivalent, and said scrip or certificates of indebtedness shall be sold and disposed of at public auction, or in such other manner, at such times and prices, in such amounts and at such rates of interest, not exceeding the rate above-specified, as shall be deemed best. The sinking fund established by chapter four hundred and ninety-seven of the acts of the year eighteen hundred and ninety-four shall also be maintained for the purpose of extinguishing bonds issued under the authority of this act, and the treasurer and receiver general shall apportion thereto from year to year an amount sufficient with the accumulations of said fund to extinguish at maturity the debt incurred by the issue of said bonds. The amount necessary to meet the annual sinking fund requirements and to pay the interest on said bonds shall be raised by taxation from year to year.

Sinking fund,
etc.

SECTION 4. This act shall take effect upon its passage.

Approved June 4, 1896.

Chap.482

AN ACT RELATIVE TO TRANSFERS OF THE INSANE.

Be it enacted, etc., as follows :

1887, 346, § 2,
amended.

SECTION 1. Section two of chapter three hundred and forty-six of the acts of the year eighteen hundred and eighty-seven is hereby amended by striking out all of said section after the word "therefrom", in the sixth line, and inserting in place thereof the following words: — and

may at their discretion, on the application of the officer or board in charge of any of the hospitals above-named, transfer patients therein to other hospitals or asylums, or to private dwellings within the Commonwealth, — so as to read as follows: — *Section 2.* The state board of lunacy and charity shall have power to enforce the provisions of this act, by notifications sent to the committing magistrates, or otherwise; and may for sufficient reasons exempt cities, towns or individuals from its operation, when hardship would in the opinion of said board result therefrom; and may at their discretion, on the application of the officer or board in charge of any of the hospitals above-named, transfer patients therein to other hospitals or asylums, or to private dwellings within the Commonwealth.

State board of lunacy and charity may enforce provisions, transfer patients, etc.

SECTION 2. This act shall take effect upon its passage.

Approved June 4, 1896.

AN ACT RELATIVE TO THE BRIDGE OVER THE MERRIMAC RIVER
BETWEEN NEWBURYPORT AND SALISBURY.

Chap. 483

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of the county of Essex shall, subject to the provisions of chapter nineteen of the Public Statutes, rebuild the bridge over the Merrimac river between Newburyport and Salisbury, or such portions thereof as they judge to be unsafe for public travel, and shall replace such portions of the bridge as are removed with an iron or steel structure, with stone piers and abutments. Said bridge shall have a pivot-draw, with an opening in the clear not less than that of the present draw, with suitable draw fender piers.

Bridge over Merrimac river to be rebuilt, etc.

SECTION 2. The expense incurred under this act shall be paid in the first instance from the treasury of the county of Essex; but at least forty per cent. of said expense shall, after due notice and hearing, be assessed by said commissioners upon the city of Newburyport and upon such towns as in their judgment derive a special benefit from said repairs, and in such proportion as said commissioners deem proper. The amounts so assessed shall be paid by said city and towns into the treasury of the county.

Payment of expenses.

SECTION 3. Said commissioners may reimburse the city of Newburyport and the town of Salisbury from the

Newburyport and Salisbury may be re-

imbursed for
a portion of
amount already
expended.

treasury of the county of Essex for not exceeding sixty per cent. of the amount already expended by said city and town in making repairs on said bridge, for which in the judgment of said commissioners said city and town ought to be reimbursed.

Commissioners
may borrow on
credit of county.

SECTION 4. Said commissioners may borrow on the credit of the county such sum of money as may be required to carry out the provisions of this act, and shall apply said money to the purpose for which it is borrowed.

SECTION 5. This act shall take effect upon its passage.

Approved June 4, 1896.

Chap. 484 AN ACT MAKING APPROPRIATIONS FOR EXPENSES IN CONNECTION WITH THE ENFORCEMENT OF THE LAWS REGULATING PHARMACISTS AND THE GRANTING OF LICENSES TO DRUGGISTS TO SELL INTOXICATING LIQUORS.

Be it enacted, etc., as follows:

Appropriations.

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified, to meet expenses for the year ending on the thirty-first day of December in the year eighteen hundred and ninety-six, to wit: —

Complaints
against reg-
istered phar-
macists.

For expenses in connection with the carrying out of the law relative to complaints against registered pharmacists, a sum not exceeding two thousand dollars.

Granting of
licenses to sell
intoxicating
liquors.

For the payment of all necessary expenses in connection with the carrying out of the law relating to the granting of licenses to druggists and apothecaries to sell intoxicating liquors, a sum not exceeding five thousand dollars.

SECTION 2. This act shall take effect upon its passage.

Approved June 4, 1896.

Chap. 485 AN ACT IN ADDITION TO AN ACT MAKING APPROPRIATIONS FOR SALARIES AND EXPENSES OF THE STATE BOARD OF ARBITRATION AND CONCILIATION.

Be it enacted, etc., as follows:

Board of
arbitration and
conciliation.

SECTION 1. A sum not exceeding twenty-five hundred dollars is hereby appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, to meet traveling, incidental and contingent expenses of the state board of arbitration and conciliation for the year ending on the thirty-first day of December in the year

eighteen hundred and ninety-six, the same to be in addition to the four thousand dollars appropriated by chapter nine of the acts of the present year.

SECTION 2. This act shall take effect upon its passage.

Approved June 4, 1896.

AN ACT IN FURTHER ADDITION TO AN ACT MAKING AN APPROPRIATION FOR EXPENSES IN CONNECTION WITH THE EXTERMINATION OF CONTAGIOUS DISEASES AMONG HORSES, CATTLE AND OTHER ANIMALS.

Chap. 486

Be it enacted, etc., as follows:

SECTION 1. The sum of fifty thousand dollars is hereby appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purpose of meeting expenses in connection with the extermination of contagious diseases among horses, cattle and other animals, the same to be in addition to any amounts heretofore appropriated for the same purpose.

Extermination of contagious diseases among animals.

SECTION 2. This act shall take effect upon its passage.

Approved June 4, 1896.

AN ACT RELATIVE TO THE CHICOPEE MANUFACTURING COMPANY.

Chap. 487

Be it enacted, etc., as follows:

SECTION 1. The name of the Ellerton Mills is hereby changed to The Chicopee Manufacturing Company.

Name changed.

SECTION 2. No act heretofore done by said corporation under the name of The Chicopee Manufacturing Company shall be invalid by reason of the use of said name, and all acts of said corporation so far as otherwise legal are hereby ratified and confirmed.

Certain acts confirmed, etc.

SECTION 3. Chapter twenty of the acts of the year eighteen hundred and sixty-four is hereby repealed.

Repeal.

SECTION 4. This act shall take effect upon its passage.

Approved June 4, 1896.

AN ACT TO INCORPORATE THE PEOPLE'S TRUST COMPANY.

Chap. 488

Be it enacted, etc., as follows:

SECTION 1. John F. Cronan, Thomas F. Scanlan, Neil McNeil, George R. Swasey, Joseph A. Iasigi, William A. Miller, George T. McLaughlin, John J. Mundo, Christopher P. McCaffrey, John J. Kennedy, Thomas McCormack, Matthew J. Mullen, Daniel A.

People's Trust Company incorporated.

Cronan, Robert Bishop, George McCarthy, their associates and successors, are hereby made a corporation by the name of the People's Trust Company, with authority to establish and maintain a safe deposit, loan and trust company in the city of Boston, with a capital stock of not less than two hundred thousand dollars, and with all the powers and privileges and subject to all the duties, liabilities and restrictions set forth in all general laws which now are or may hereafter be in force relating to such corporations.

SECTION 2. This act shall take effect upon its passage.

Approved June 4, 1896.

Chap. 489 AN ACT TO LEGALIZE CERTAIN PROCEEDINGS OF THE TOWN OF STOUGHTON.

Be it enacted, etc., as follows:

Proceedings of annual town meeting of Stoughton legalized.

SECTION 1. The proceedings of the annual town meeting of the town of Stoughton held on the ninth day of March in the year eighteen hundred and ninety-six, and the election of town officers thereat, shall not be invalid by reason of the omission in the warrant calling such meeting of a specification of the officers to be elected or voted for at such meeting, and of their terms of service.

Certain action at a town meeting, March 28, confirmed.

SECTION 2. The action of said town at a town meeting held on the twenty-eighth day of March in the year eighteen hundred and ninety-six, in reconsidering a vote relative to the building of a schoolhouse, passed at the annual town meeting of the same year, and in voting to build a schoolhouse according to a different plan than the one authorized at the annual meeting, is hereby legalized and confirmed, notwithstanding any irregularities in the proceedings of said meeting held on said twenty-eighth day of March.

SECTION 3. This act shall take effect upon its passage.

Approved June 4, 1896.

Chap. 490 AN ACT RELATIVE TO THE DUTIES AND AUTHORITY OF THE ATTORNEY-GENERAL AND TO THE EMPLOYMENT OF ATTORNEYS BY STATE BOARDS, COMMISSIONERS AND OFFICERS.

Be it enacted, etc., as follows:

Attorney-general to appear for Commonwealth, heads of departments, etc., in certain suits, etc.

SECTION 1. The attorney-general shall appear for the Commonwealth, the secretary, the treasurer, and the auditor, and for all heads of departments, state boards and commissions, in all suits and other civil proceedings, ex-

cepting upon criminal recognizances and bail bonds, in which the Commonwealth is a party or interested, or in which the official acts and doings of said officers are called in question, in all the courts of the Commonwealth; and in such suits and proceedings before any other tribunal when requested by the governor or by either branch of the general court. All such suits and proceedings shall be conducted by him or under his direction. All legal services required by such officers and boards in matters relating to their official duties shall be performed by the attorney-general or under his direction.

SECTION 2. All writs, summonses or other processes served upon such officers shall forthwith be transmitted by them to the attorney-general. All suits or other proceedings by them shall be brought by the attorney-general or under his direction.

Writs, etc., to be transmitted to attorney-general, etc.

SECTION 3. The attorney-general may appoint such assistants as the duties of the office require; and with the approval of the governor and council shall fix their compensation. He may also, whenever in his opinion the interests of the Commonwealth require, employ such additional legal assistance as he may deem necessary in the discharge of his duties. Such employment and the compensation therefor shall be subject to the approval of the governor and council.

May appoint assistants, etc.

SECTION 4. All acts relating to the appointment of first and second assistant attorneys-general and all acts and parts of acts inconsistent herewith are hereby repealed.

Repeal.

SECTION 5. This act shall take effect on the first day of July in the year eighteen hundred and ninety-six.

To take effect July 1, 1896.

Approved June 5, 1896.

AN ACT TO INCORPORATE THE ELDRIDGE PUBLIC LIBRARY.

Chap. 491

Be it enacted, etc., as follows:

SECTION 1. Marcellus Eldredge, Heman Fisher Eldredge, Heman Andrew Harding, William L. Nickerson and John J. Howes and their successors, are made a corporation by the name of the Eldredge Public Library, for the formation and maintenance of a public library in Chatham; with all the powers and privileges and subject to all the duties and liabilities set forth in the general laws which now are or hereafter may be in force and applicable to such corporations.

Eldredge Public Library incorporated.

May hold real and personal estate.

SECTION 2. Said corporation may hold real and personal estate to the amount of one hundred thousand dollars for the purposes aforesaid, in addition to books and objects of curiosity and art.

Membership.

SECTION 3. The corporation shall consist of five members, of whom at least three shall be citizens of the town of Chatham. And it is hereby provided that if either the said Marcellus Eldredge or the said Heman Fisher Eldredge shall at any time resign or retire from said corporation he is and shall be authorized to appoint his successor therein, and in case either the said Marcellus or Heman should de cease while a member of said corporation he may by will or any instrument in writing appoint his successor therein, and the appointees and successors of the said Marcellus and Heman shall have the like power of appointment forever. Subject to the foregoing provision whenever a vacancy shall occur in the number of corporators by death, resignation or removal from the town of Chatham the remaining members shall fill the same, and in case they shall fail to elect a person to fill the vacancy within three months from the time such vacancy shall occur it shall be competent for the judge of probate for the county of Barnstable, upon the application of any inhabitant of Chatham, to fill such vacancy, and the majority of these corporators may at any time, with the approval of the judge of probate aforesaid, remove any one of the corporators, except the said Marcellus and Heman and their appointees and successors, and the vacancy thus occasioned shall be filled as in other cases.

Town of Chatham may transfer to corporation certain funds, etc.

SECTION 4. The town of Chatham may transfer to said corporation all funds now held or hereafter received by said town for the purposes of a public library, to be held and applied by the corporation in the same manner as if they were held by the town; and may transfer to the corporation the books and pamphlets of the town library, upon such terms and conditions as shall be agreed upon by said town and corporation: *provided, however*, if such transfer of funds, books and pamphlets is made by said town said corporation shall forever allow the inhabitants of the town of Chatham free use of the said library under reasonable regulations.

Proviso.

Town may make an annual appropriation, etc.

SECTION 5. The town of Chatham may appropriate and pay annually towards defraying the expense of main-

taining and increasing said library a sum not exceeding one dollar for each of its ratable polls in the year preceding that in which the appropriation is made, and may also pay the salary of a librarian and of any necessary assistants. The town may also pay over to said corporation for the use of the library any money by law applicable to the use of a town library.

SECTION 6. Said corporation shall render to the town of Chatham annually in the month of January a report of its proceedings, and a statement of the condition of the library, its property and funds, the number of books added during the year, with an accurate account of all receipts and expenditures, together with any other information or suggestions which they may deem desirable.

Corporation to render an annual report to town, etc.

SECTION 7. This act shall take effect upon its passage.

Approved June 5, 1896.

AN ACT RELATIVE TO THE CONSTRUCTION OF SUBWAYS IN THE CITY OF BOSTON.

Chap. 492

Be it enacted, etc., as follows :

Section thirty-five of chapter five hundred and forty-eight of the acts of the year eighteen hundred and ninety-four is hereby amended by striking out in the nineteenth line, the word "fifty", and inserting in place thereof the word: — twenty, — so as to read as follows: — *Section 35.* Said commission may, on or before the completion of said subways and tunnels, grant locations for tracks to, and for two tracks in, said subways and tunnels, to be used by any street railway company or companies; shall order all surface tracks to be removed from Tremont street between Boylston street and Scollay square, and from Boylston street between Park square and Tremont street; and may order any other tracks which, in its opinion, have been rendered unnecessary by the construction of said subways and tunnels, and which are above said subways and tunnels, or within a distance of one thousand feet from any entrance to said subways and tunnels, to be removed from the streets. Said commission shall, subject to the approval of the board of railroad commissioners, fix by contract the terms and conditions and rates of compensation for the locations for said two tracks in any of said subways and tunnels, and for the use thereof by any street railway company or companies

1894, 548, § 35, amended.

Commission may grant locations for tracks to and in subways and tunnels, etc.

Conditions and rates of compensation subject to approval of railroad commissioners.

Surface tracks
not to be laid in
certain streets.

during a term of years not exceeding twenty. Surface tracks shall not be laid or maintained in that part of any street from which said commission may have ordered such tracks removed, as herein provided.

Approved June 5, 1896.

Chap. 493 AN ACT TO INCORPORATE THE BELCHERTOWN WATER COMPANY.

Be it enacted, etc., as follows :

Belchertown
Water Com-
pany incor-
porated.

SECTION 1. Louis W. Dillon, Harry A. Hopkins, Richard H. Long, Clarence E. Scott, Edward S. Bridgman, Charles H. Snow, Joseph R. Gould, Nelson Randall and William E. Bridgman, their associates and successors, are hereby made a corporation by the name of the Belchertown Water Company, for the purpose of supplying the inhabitants of the town of Belchertown with water for the extinguishment of fires and for domestic, manufacturing and other purposes; with all the powers and privileges and subject to all the duties, restrictions and liabilities set forth in all general laws which now are or may hereafter be in force applicable to such corporations.

May take
certain waters,
etc.

SECTION 2. Said corporation, for the purposes aforesaid, may take, lease, acquire by purchase or otherwise and hold the waters of any ponds, brooks or springs within the limits of said town of Belchertown not already owned or acquired by the city of Springfield, and all water rights connected therewith, and may obtain and take water by means of driven, bored, artesian or other wells, on land within the limits of said town of Belchertown: *provided*, that no source of water supply shall be taken under this act for domestic purposes without the recommendation and advice of the state board of health; and may hold and carry said water through said town; and may also take and hold, by lease or otherwise, all lands, rights of way and easements necessary for holding and preserving such water and conveying the same to any part of said town; and may erect on the lands thus taken or held proper dams, fixtures or other structures; and may make excavations, procure and operate machinery and provide such other means and appliances as may be necessary for the establishment and maintenance of complete and effective water works; and may construct and lay down conduits, pipes and other works, over and under any lands, water

Proviso.

May take
certain lands,
etc.

May erect
structures, lay
down pipes,
etc.

courses, railroads, highways, town ways, and public or private ways of any kind, and along such ways in such manner as not unnecessarily to obstruct the same; and for the purpose of constructing, maintaining and repairing said conduits, pipes and other works and for all proper purposes of this act said corporation may dig up said lands and enter upon and dig up any such ways; *provided, however*, that said corporation shall not enter upon or dig up any public ways except upon the approval of the board of selectmen of the town in which such ways are situated, after a public hearing by said board of which at least ten days' notice shall be given by posting an attested copy of said notice in at least five public places in said town, and *provided, further*, that no hearing or notice shall be necessary in cases where said ways are to be entered upon and dug up by said corporation for the purpose of constructing extensions to its plant and repairing and maintaining such conduits, pipes and other works.

Proviso.

SECTION 3. The said corporation shall within sixty days after the taking of any lands, rights of way, water rights, water sources or easements as aforesaid otherwise than by purchase, file and cause to be recorded in the registry of deeds for the county of Hampshire a description thereof sufficiently accurate for identification, with a statement of the purposes for which the same were taken, signed by the president of the corporation.

Description of lands, etc., to be recorded.

SECTION 4. The said corporation shall pay all damages sustained by any person in property by the taking of any land, right of way, water, water course, water right or easement, or by any other thing done by said corporation under the authority of this act. Any person sustaining damages as aforesaid under this act, who fails to agree with the said corporation as to the amount of damages sustained, may have the damages assessed and determined in the manner provided by law where land is taken for the laying out of highways, on application at any time within two years from the taking of such land or other property or the doing of any injury under the authority of this act; but no such application shall be made after the expiration of the said two years. No application for the assessment of damages for the taking of any water, water right or water source, or for any injury thereto, shall be made until the water is actually withdrawn or diverted by the said corporation under the authority of this act.

Damages.

Distribution of
water, etc.

SECTION 5. The said corporation may distribute the water through said town of Belchertown, may regulate the use of said water and fix and collect the rates to be paid for the use of the same, and may make such contracts with said town, or with any fire district that may hereafter be established therein, or with any individual or corporation, to supply water for the extinguishment of fires or for any other purpose, as may be agreed upon by said town, fire district, individual or corporation, and said corporation; and may establish public fountains and hydrants and relocate and discontinue the same.

Real estate,
capital stock.

SECTION 6. The said corporation may, for the purposes set forth in this act, hold real estate not exceeding in value ten thousand dollars; and the whole capital stock of the said corporation shall not exceed thirty thousand dollars, to be divided into shares of one hundred dollars each.

Certificate of
payment of
capital to be
filed.

SECTION 7. Immediately after the payment of the capital stock of said corporation a certificate of that fact, and of the manner in which the same has been paid in, and, at the time of making the certificate, has been invested or voted by the corporation to be invested, signed and sworn to by the president, treasurer and a majority of the directors and approved by the commissioner of corporations, shall be filed in the office of the secretary of the Commonwealth. A conveyance to the corporation of property, real or personal, at a fair valuation, shall be deemed a sufficient paying in of the capital stock to the extent of such value if a statement is included in the certificate made, signed and sworn to by its president, treasurer and a majority of its directors, giving a description of such property and the value at which it has been taken in payment, in such detail as the commissioner of corporations shall require or approve, and endorsed with his certificate that he is satisfied that said valuation is fair and reasonable.

May issue
mortgage
bonds, etc.

SECTION 8. Said corporation may issue bonds and secure the same by a mortgage upon its franchise and other property to an amount not exceeding its capital stock actually paid in. The proceeds of all bonds so issued shall be expended in the extension of the works of said corporation and for the payment of expenditures actually made in the construction of the works, over and above the amount of capital stock actually paid in.

SECTION 9. The capital stock hereinbefore authorized shall be issued only in such amounts as may from time to time upon investigation by the commissioner of corporations be deemed by him to be reasonably required for the purposes for which such issues of stocks or bonds have been authorized. His decision approving such issues shall specify the respective amounts of stock and bonds authorized to be issued and the purposes to which the proceeds thereof are to be applied. A certificate setting forth his decision shall be filed in the office of the secretary of the Commonwealth before the certificates of stock or the bonds are issued, and the proceeds of such stock or bonds shall not be applied to any purpose not specified in such decision.

Issue of stock to be approved by commissioner of corporations.

SECTION 10. Whoever wilfully or wantonly corrupts, pollutes or diverts any of the waters taken or held under this act, or injures any structure, work or other property owned, held or used by the persons herein named, or their successors or assigns, under the authority and for the purposes of this act, shall forfeit and pay to said persons above-named, their successors or assigns, three times the amount of damages assessed therefor, to be recovered in action of tort. Whoever wilfully or wantonly corrupts, pollutes or diverts any of the waters taken or held under this act, or injures any structure, work or other property, owned, held or used under the authority and for the purposes of this act, shall be punished by a fine not exceeding three hundred dollars or by imprisonment not exceeding one year.

Penalty for corruption of water, etc.

SECTION 11. The town of Belchertown shall have the right at any time to take by purchase or otherwise the franchise, corporate property and all the rights and privileges of said corporation, on payment to said corporation of the actual cost of its franchise, works and property of all kinds held under the provisions of this act, including in such cost interest on each expenditure from its date to the date of said purchase or taking as herein provided, at the rate of five per cent. per annum. In case said town and said company, after conference thereon, shall be unable to agree upon the cost of said property, the superior court shall upon application of either party and notice to the other appoint three commissioners, who shall determine said cost, and whose finding when accepted by the court shall be final. If the cost of maintaining and operating the works of said

Town may take franchise, property, etc.

Statement of receipts and expenditures to be submitted annually.

corporation shall exceed in any year the income derived from said works by said corporation for that year then such excess shall be added to the total cost; and if the income derived from said works by said corporation exceeds in any year the cost of maintaining and operating said works for that year then such excess shall be deducted from the total cost. An itemized statement of the receipts and expenditures of said corporation shall be annually submitted to the selectmen of the town of Belchertown, and by said selectmen to the citizens of the town. If said corporation has incurred indebtedness the amount of such indebtedness outstanding at the time of such taking shall be assumed by said town and shall be deducted from the amount required to be paid by said town to said corporation under the foregoing provisions of this section. This authority to purchase such franchises and property is granted on condition that the purchase is assented to by said town by a two thirds vote of the voters of said town present and voting thereon at a meeting legally called for that purpose.

Belchertown Water Loan.

SECTION 12. Said town of Belchertown may, for the purpose of paying for the franchise, works and property of said corporation, and the necessary expenses and liabilities incurred under the provisions of this act, issue from time to time bonds, notes or scrip to an amount not exceeding in the aggregate sixty thousand dollars. Such bonds, notes or scrip shall bear on their face the words, Belchertown Water Loan; shall be payable not exceeding thirty years from the date of issue; shall bear interest payable semi-annually at a rate not exceeding six per cent. per annum, and shall be signed by the treasurer of the town and countersigned by the water commissioners hereinafter provided for. Said town may sell such securities at public or private sale or pledge the same for money borrowed for the purposes of this act, upon such terms and conditions as it may deem proper, provided that the same shall not be sold or pledged for less than their par value. The said town shall at the time of contracting said loan provide for the establishment of a sinking fund and shall annually contribute to such fund a sum sufficient with the accumulations thereof to pay the principal thereof at maturity. The said sinking fund shall remain inviolate and pledged to the payment of said loan and shall be used for no other purpose.

Sinking fund.

SECTION 13. Said town instead of establishing a sinking fund may at the time of authorizing said loan provide for the payment thereof in annual payments of such amounts as will in the aggregate extinguish the same within the time prescribed in this act; and when such vote has been passed the amount required thereby shall without further vote be assessed by the assessors of said town in each year thereafter until the debt incurred by said loan shall be extinguished, in the same manner as other taxes are assessed under the provisions of section thirty-four of chapter eleven of the Public Statutes.

May provide for annual payments on loan.

SECTION 14. The return required by section ninety-one of chapter eleven of the Public Statutes shall state the amount of any sinking fund established under this act, and if none has been established whether action has been taken in accordance with the provisions of the preceding section, and the amounts raised and applied thereunder for the current year.

Return to state amount of sinking fund.

SECTION 15. Said town shall raise annually by taxation a sum which with the income derived from the water rates will be sufficient to pay the current annual expenses of operating its water works and the interest as it accrues on the bonds, notes and scrip issued as aforesaid by said town, and to make such contributions to the sinking fund and payments on the principal as may be required under the provisions of this act.

Payment of expenses, etc.

SECTION 16. Said town shall, after its purchase of said corporate property as provided in this act, at a legal meeting called for the purpose elect by ballot three persons to hold office, one for three years, one for two years and one for one year from the next annual town meeting, to constitute a board of water commissioners, and at each annual town meeting thereafter one such commissioner shall be elected by ballot for the term of three years. All the authority granted to said town by this act and not otherwise specially provided for shall be vested in said board of water commissioners, who shall be subject however to such instructions, rules and regulations as said town may by its vote impose. The said commissioners shall be trustees of the sinking fund herein provided for and a majority of said commissioners shall constitute a quorum for the transaction of business relative both to the water works and the sinking fund. Any

Water commissioners, election, terms, etc.

To be trustees of sinking fund.

Vacancy.

vacancy occurring in said board from any cause may be filled for the remainder of the unexpired term by said town at any legal meeting called for the purpose.

Security for payment of damages, etc., required in certain cases.

SECTION 17. Upon application by the owner of any land, water or water rights taken under this act by the corporation hereby chartered, the county commissioners for the county of Hampshire shall require said corporation to give satisfactory security for the payment of all damages and costs which may be awarded such owner for the land or other property so taken; but before requiring such security said commissioners shall, upon request of either party, make an estimate of the damages which may result from such taking. Said commissioners shall in like manner require further security if at any time the security before required appears to them to have become insufficient, and all the right or authority of said corporation to enter upon or use such land or other property except for the purpose of making surveys shall be suspended until it gives the security required.

Work to be begun within three years.

SECTION 18. This act shall take effect upon its passage, and shall become void unless work hereunder is begun within three years from the date of its passage.

Approved June 5, 1896.

Chap. 494 AN ACT RELATIVE TO THE EMPLOYMENT OF MECHANICS AND LABORERS ON PUBLIC WORKS.

Be it enacted, etc., as follows:

Preference to be given to citizens of the United States in certain employment.

SECTION 1. Hereafter, in the employment of mechanics and laborers in the construction of public works by the Commonwealth, or by any municipal corporation therein, or by persons contracting with the Commonwealth or with such corporation, preference in said employment shall be given to citizens of the United States; and every contract hereafter made by the Commonwealth or by any municipal corporation therein shall require the giving of such preference in said employment.

Penalty.

SECTION 2. Any contractor who knowingly and wilfully violates the provisions of this act shall be fined not more than one hundred dollars for each offence.

Not to take effect until January 1, 1897.

SECTION 3. This act shall not take effect until January first in the year eighteen hundred and ninety-seven.

Approved June 5, 1896.

AN ACT RELATIVE TO THE RESTORATION OF GREEN HARBOR IN THE TOWN OF MARSHFIELD. *Chap. 495*

Be it enacted, etc., as follows:

SECTION 1. The board of harbor and land commissioners and the state board of health, acting as a joint board, are hereby required to cause an examination of Green Harbor in the town of Marshfield, and of the Green Harbor marshes and the dam and dike constructed across Green Harbor river under the provisions of chapter three hundred and three of the acts of the year eighteen hundred and seventy-one, to be made by competent engineers, who shall report to said joint board the result of their examination; and if upon receiving such report said joint board shall determine that a substantial improvement in and benefit to Green Harbor will result from the removal of said dam and dike, and that no damage to vested property rights greater than the benefit and improvement to be derived from such removal will result therefrom, then the board of harbor and land commissioners shall remove said dam and dike, and shall replace such portion of the highway as may be destroyed by such removal, by a suitable bridge, either with or without a draw, as said board of harbor and land commissioners may determine that public convenience requires. The joint board and the board of harbor and land commissioners shall make a full report of their doings under this act to the general court at the next session thereof.

Examination to be made of Green Harbor in Marshfield, etc.

Harbor and land commissioners may remove dam, etc.

Joint board, etc., to report to general court.

SECTION 2. Any person who suffers injury to any vested property right by reason of the removal of said dam and dike shall be entitled to have his damages assessed against the Commonwealth by the county commissioners of the county of Plymouth, with like right of appeal as in the case of land taken for the construction of highways: *provided*, that in case the Commonwealth shall be liable for damages to property, the increase in value, if any, which has accrued by the building of said dam and dike under the provisions of chapter three hundred and three of the acts of the year eighteen hundred and seventy-one, shall be deducted in the assessment.

Damages.

Proviso.

SECTION 3. To defray the expense incurred under this act a sum not exceeding twelve thousand dollars is hereby appropriated, to be paid out of the treasury of the Com-

Payment of expenses.

monwealth from the ordinary revenue, subject to the approval of the board or boards incurring the expense.

Removal of dam, etc., to cause repeal of certain provisions of law.

SECTION 4. If the board of harbor and land commissioners shall remove said dam and dike, then so much of chapter three hundred and three of the acts of the year eighteen hundred and seventy-one as authorizes the construction and maintenance of a dam and dike across Green Harbor river in the town of Marshfield shall, from the date when said removal is commenced, be repealed.

Approved June 5, 1896.

Chap.496 AN ACT TO ABOLISH DAYS OF GRACE ON COMMERCIAL PAPER EXCEPT SIGHT DRAFTS.

Be it enacted, etc., as follows :

Days of grace abolished.

SECTION 1. No days of grace, according to the custom of merchants, shall be allowed on any note, draft, check, acceptance, bill of exchange, bond or other evidence of indebtedness made, drawn or accepted by any person or corporation after this act shall take effect, unless expressly stipulated therein, but the same shall be due and payable as therein expressed, without grace : *provided*, that this act shall not apply to any draft or bill of exchange drawn payable at sight.

Proviso.

Repeal.

SECTION 2. Chapter two hundred and twenty-eight of the acts of the year eighteen hundred and ninety-six and all acts and parts of acts inconsistent with this act are hereby repealed.

To take effect January 1, 1897.

SECTION 3. This act shall take effect on the first day of January in the year eighteen hundred and ninety-seven.

Approved June 5, 1896.

Chap.497 AN ACT TO INCORPORATE THE TAUNTON AND BROCKTON STREET RAILWAY COMPANY.

Be it enacted, etc., as follows :

Taunton and Brockton Street Railway Company incorporated.

SECTION 1. Sylvanus M. Thomas, John P. Morse, Frank W. Brightman, Horace B. Rogers, Cornelius A. Davis, Alfred A. Glasier, George M. Elmes and George H. Campbell, their associates and successors, are hereby made a corporation under the name of the Taunton and Brockton Street Railway Company ; with all the powers and privileges and subject to all the duties, conditions and restrictions set forth in all general laws that now are

or hereafter may be in force relating to street railway companies, except as hereinafter provided.

SECTION 2. Said company is hereby authorized to construct and operate a railway, with single or double tracks and with convenient turn-outs and switches, in part upon private land, which it may take by purchase or lease, and over and upon such locations in the streets or highways of the cities of Taunton and Brockton, and of the towns of Raynham, Easton, West Bridgewater and Bridgewater, as shall be from time to time fixed and determined by the mayor and aldermen or selectmen of said cities and towns respectively. Said company may acquire, by purchase or lease, all necessary real estate for its power station and for uses incident to the proper maintenance of its railway.

May construct, etc., a railway in certain cities and towns.

May acquire necessary real estate.

SECTION 3. The location of said street railway outside of public streets and highways shall not exceed fifty feet in width.

Location.

SECTION 4. Said company may maintain and operate said railway by any approved motive power other than steam, and, with the consent of the mayor and aldermen or selectmen of the cities and towns respectively in which locations are granted as aforesaid, may make such underground alterations of the streets and highways, and may erect such poles and wires thereon, and may erect and maintain such poles and wires on private lands obtained as aforesaid, as may be necessary to establish and maintain such motive power.

Motive power, etc.

SECTION 5. The capital stock of said company shall not exceed one hundred thousand dollars, except that said company may increase its capital stock subject to all general laws applicable to said increase.

Capital stock.

SECTION 6. Said company may from time to time, by vote of a majority in interest of its stockholders, issue coupon or registered bonds to an amount not exceeding one hundred thousand dollars, for a term not exceeding twenty years from the date thereof: *provided*, that no issue of bonds shall be made unless there shall have been actually paid in an amount of the stock equal to the amount of such issue. To secure the payment of such bonds, with interest thereon, said company may make a mortgage of its road and franchise, or any part of its other property, and may include in such mortgage property thereafter to be acquired, and may therein reserve to its directors the right to sell or otherwise in due course of business to

May issue bonds, etc.

Proviso.

dispose of property included therein which may become worn, damaged or unsuitable for use in the operation of its road, provided an equivalent in value is substituted therefor; and all bonds issued shall first be approved by some person appointed by the corporation for that purpose, who shall certify upon each bond that it is properly issued and recorded.

Issue, etc., or
stock and
bonds.

SECTION 7. All stock and bonds authorized by this act shall be issued and disposed of in accordance with the provisions of all general laws relative to the issue of stock and bonds by street railway companies.

May act as a
common carrier
of small parcels.
Provido.

SECTION 8. Said company may act as a common carrier of small parcels: *provided*, it shall not so act in the cities of Taunton and Brockton, or in any town, until authorized to do so by a two thirds vote of the voters of said cities or towns present and voting thereon at an annual or special election held for that purpose.

To be con-
structed, etc.,
before July 1,
1896.

SECTION 9. This act shall take effect upon its passage, but shall become void unless said railway is constructed and put in operation before the first day of July in the year eighteen hundred and ninety-eight.

Approved June 5, 1896.

Chap. 498 AN ACT TO AUTHORIZE CITIES AND TOWNS TO USE THE MCTAM-
MANY VOTING MACHINES IN STATE, CITY AND TOWN ELECTIONS.
Be it enacted, etc., as follows:

McTammany
voting machines
to be furnished
to certain cities
and towns.

SECTION 1. The secretary of the Commonwealth, upon the request of the board of aldermen of any city or of the selectmen of any town, shall forthwith furnish to the said city or town a sufficient number of McTammany voting machines to enable all candidates for all offices (national, state, city or town) to be filled at such election, to be voted for on such machines, together with all propositions or questions that may be lawfully submitted to such voters. The expense for such machines shall be borne by the Commonwealth, but not more than fifty of such machines shall be purchased for use during the year eighteen hundred and ninety-six.

Expense to be
borne by the
Common-
wealth, etc.

Description of
machines, etc.,
to be sent to
cities and
towns.

SECTION 2. Not later than thirty days after the passage of this bill the secretary of the Commonwealth shall send to every city and town clerk and to every board of aldermen and to every board of selectmen a description of said voting machines and the terms upon which they

are to be furnished and used under the provisions of this act. The machines shall be purchased from the manufacturers and paid for by the secretary of the Commonwealth out of the treasury of the Commonwealth, at a price not exceeding two hundred and fifty dollars for each machine.

Price of machines.

SECTION 3. The election of officers to be voted for in all towns and voting precincts of all cities which have decided to use the said machines under the provisions of this act shall be by the use of said machines, and the secretary of the Commonwealth shall furnish to said cities and towns tally sheets adapted to the use of said machines. The provisions of law with reference to the preservation of ballots at public expense, the preparation of polling places, the conduct of elections, the counting, preserving and recounting of ballots, and the provisions of chapter four hundred and sixty-five of the acts of the year eighteen hundred and ninety-three shall, so far as applicable, govern elections when said machines are used. The ballot law commissioners are hereby authorized to make such rules and regulations, not inconsistent with the provisions of law, respecting the use of said machines as they shall consider necessary for the conduct of elections by the use of said machines.

Election of officers in certain cities and towns to be by use of voting machines, etc.

Certain provisions of law to apply.

Ballot law commissioners may make rules and regulations.

Approved June 5, 1896.

AN ACT RELATIVE TO MARRIAGE AND THE LEGITIMACY OF CHILDREN.

Chap. 499

Be it enacted, etc., as follows :

The provisions of chapter four hundred and twenty-seven of the acts of the year eighteen hundred and ninety-five shall apply to cases in which the impediment to marriage therein referred to was removed prior to the date when said act took effect, as well as to cases in which such impediment was removed subsequent to such date: *provided*, that no marriage otherwise valid shall hereby be rendered invalid.

1896, 427, to apply to certain cases.

Approved June 5, 1896.

AN ACT TO PROVIDE FOR THE CONSTRUCTION AT CAMBRIDGE OF A BUILDING FOR THE REGISTRY OF DEEDS AND FOR THE PROBATE COURT.

Chap. 500

Be it enacted, etc., as follows :

SECTION 1. The county commissioners of the county of Middlesex are hereby authorized to provide accommo-

County commissioners to provide accom-

modations at
Cambridge for
registry of
deeds and
probate court,
etc.

dations at Cambridge for the registry of deeds and for the probate court for the southern district of said county, by the erection of a suitable building on the site heretofore acquired by said commissioners under the authority given them by chapter three hundred and sixty of the acts of the year eighteen hundred and ninety-four. The expense incurred for constructing said building, in addition to the cost of the site, shall not exceed the sum of five hundred thousand dollars; and said commissioners shall not make any contracts calling for a larger expenditure in the aggregate, for said purpose than the amount herein specified.

Plans to be
approved, etc.

SECTION 2. No contracts shall be made for the construction and furnishing of said building until plans, together with detailed estimates of cost from responsible parties, who are willing and prepared to furnish bonds with satisfactory sureties for the actual performance of the work and the furnishing of the materials for the amounts specified in said estimates, have been submitted to a board to consist of the judges of probate for the county of Middlesex and the clerk of courts of said county, and approved by said board. Such approval shall not be given until said board is fully satisfied that the cost of the building and its furnishings, ready for the use of said registry and court and of the offices incident thereto, will not exceed the sum of five hundred thousand dollars.

County commissioners to
advertise for
proposals for
work, etc.

SECTION 3. After said plans shall have been so approved the county commissioners shall advertise for proposals for doing the work and furnishing the materials required by such plans. Such advertisements shall be published in at least two daily newspapers of general circulation in the city of Boston, for not less than two weeks successively prior to the time specified in the advertisements for opening said proposals; and said proposals shall not specify any particular party or parties from whom the person to whom the contract may be awarded shall purchase his materials. The contracts for said work shall be awarded to the lowest responsible bidder who offers to do the same within the limits prescribed by this act, but shall not be so awarded until said contracts shall have been approved by the board provided for in section two of this act. The county commissioners shall have authority to reject any and all bids, in which

Awarding of
contracts, etc.

case said commissioners shall forthwith advertise for new proposals.

SECTION 4. At the end of every contract awarded under the provisions of this act shall be inserted the following clause:—But said party of the second part shall not receive or be entitled to receive any sum in addition to the sum named in this contract, for any additional work done or material furnished, or for any other matter or claim whatsoever, unless, before the additional work or material or matter of claim shall be done or furnished, the board constituted by chapter five hundred of the acts of the year eighteen hundred and ninety-six shall first approve the same and the additional sum or sums to be paid therefor.

Clause to be inserted in every contract.

SECTION 5. In order to meet the expenses incurred under this act the county commissioners may issue from time to time coupon or registered bonds of said county, bearing interest at a rate not exceeding four per cent. per annum, to an amount not exceeding in the aggregate five hundred thousand dollars, including the amount of bonds which said commissioners were authorized to issue by chapter four hundred and nine of the acts of the year eighteen hundred and ninety-five; and the proceeds of the bonds issued under authority of said chapter four hundred and nine shall be used for the purpose of meeting the expenses which may be incurred under the present act. Before issuing any such bonds said commissioners shall advertise for proposals for the amount to be issued, in two daily newspapers of general circulation published in the city of Boston; and the bonds shall be sold to the highest responsible bidder, the county commissioners having authority to reject any and all bids, in which case said commissioners shall forthwith advertise for new proposals. The indebtedness so incurred by said county, together with the indebtedness which may now exist or which may hereafter be incurred on account of the issue of bonds authorized by chapter four hundred and nine of the acts of the year eighteen hundred and ninety-five, shall be paid out of the amounts received for taxes, at the rate of twenty thousand dollars each year, commencing with the year eighteen hundred and ninety-seven, until the whole indebtedness is paid.

May issue bonds, etc.

Sale of bonds, etc.

Payment of indebtedness.

SECTION 6. The receiving by the county commissioners of bids from responsible parties for the complete construction of the building authorized by this act and

Receiving of certain bids to be authority to borrow money, etc.

for furnishing and equipping the same ready for the use of said registry and court within the sum of five hundred thousand dollars, said receipt being evidenced by a certificate to that effect signed by the members of the board named in section two of this act, shall be a condition precedent to the authority of said commissioners to borrow or to incur indebtedness under this act or to expend any sums already borrowed under the provisions of chapter four hundred and nine of the acts of the year eighteen hundred and ninety-five, except for procuring plans and specifications.

Repeal, etc.

SECTION 7. Chapter four hundred and nine of the acts of the year eighteen hundred and ninety-five is hereby repealed; but this repeal shall not affect the validity of any bonds which may have been issued as authorized by said chapter.

SECTION 8. This act shall take effect upon its passage.

Approved June 5, 1896.

Chap 501 AN ACT TO PROVIDE FOR THE EXTENSION OF THE FRANCHISES OF STREET RAILWAY COMPANIES.

Be it enacted, etc., as follows:

Certain street railway companies may extend their railways into certain cities and towns.

SECTION 1. A street railway company which by its charter or certificate of incorporation, or by special legislative act, is authorized to construct, maintain and operate a street railway in any city or town in this Commonwealth, and which has constructed its railway therein, may, subject to the provisions of the general laws relating to the location, construction and operation of street railways, extend its railway into such other cities and towns in this Commonwealth adjoining those cities and towns only in which said street railway company was empowered to build and operate its road under its original charter, as the board of railroad commissioners shall, upon the application of such company, and after public notice and hearing of all parties interested, certify that the public convenience requires. A duly attested copy of such certificate shall within three days after the granting of the same be filed by said board in the office of the secretary of the Commonwealth.

Copy of certificate to be filed with secretary of the Commonwealth.

SECTION 2. This act shall take effect upon its passage.

Approved June 5, 1896.

AN ACT RELATIVE TO THE CIVIL SERVICE OF THE COMMONWEALTH AND THE CITIES THEREOF. *Chap. 502*

Be it enacted, etc., as follows:

SECTION 1. Section fifteen of chapter three hundred and twenty of the acts of the year eighteen hundred and eighty-four, as amended by chapter ninety-five of the acts of the year eighteen hundred and ninety-three, is hereby amended by inserting after the word "Commonwealth", in the ninth line, the words:—the employees of the board of commissioners of savings banks,—so that the section as amended will read as follows:—*Section 15.* Judicial officers and officers who are elected by the people, or a city council, or whose appointment is subject to confirmation by the executive council of the Commonwealth, or the city council of any city, officers who are elected by either branch of the general court and the appointees of such officers, heads of any principal departments of the Commonwealth or of a city, the employees of the treasurer of the Commonwealth, the employees of the board of commissioners of savings banks, and of the treasurer and collector of taxes of any city, two employees of the city clerk of any city, teachers of the public schools, the secretaries and confidential stenographers of the governor or of the mayor of any city, shall not be affected as to their selection or appointment by any rules made as aforesaid, but such rules shall apply to members of the police and fire departments, other than police and fire commissioners and chief marshals, or chiefs of police and fire departments.

1884, 330, § 15, etc., amended.

Officers and employees exempted from civil service rules.

SECTION 2. This act shall take effect upon its passage.

Approved June 5, 1896.

AN ACT TO AUTHORIZE THE SELECTMEN OF THE TOWN OF FAIRHAVEN TO LAY OUT A WAY OVER TIDE WATER. *Chap. 503*

Be it enacted, etc., as follows:

SECTION 1. The selectmen of the town of Fairhaven are hereby authorized to lay out, in part over tide water, under the provisions of chapters nineteen and fifty-one of the Public Statutes, a northerly extension of a way called Middle street, from the present northerly terminus of said Middle street to the southerly line of Pease street

Town of Fairhaven may lay out a northerly extension of Middle street, etc

in said town; and any bridge which it may be necessary to construct as a part of said way may be constructed either with or without a draw, as the board of harbor and land commissioners may direct.

SECTION 2. This act shall take effect upon its passage.

Approved June 5, 1896.

Chap.504 AN ACT TO INCORPORATE THE GARDNER MUSIC HALL COMPANY
Be it enacted, etc., as follows :

Gardner Music
Hall Company
Incorporated.

SECTION 1. Dexter A. Smith, Louis A. Greenwood, William J. Drenning, Carlos E. Ball, Michael J. Ryan, George B. Underwood, Henry W. Saunders, C. Leslie Bent, Oliver J. Richards, Guy W. Garland, Edward A. Chandler, Cephas B. Stephens, their associates and successors, are hereby made a corporation by the name of the Gardner Music Hall Company, to be located at Gardner, with authority to purchase a certain tract of land situated on the south side of Central street, between Pine and Lake streets, in Gardner, and having a frontage on said Central street of one hundred and ten feet, and a depth of ninety feet; and to erect, complete and maintain a building thereon, to be used for a music hall, theatre, and for mechanical and mercantile purposes, and for shops, stores and offices.

Capital stock,
powers, duties,
etc.

SECTION 2. Said corporation may have a capital stock not exceeding twenty-five thousand dollars, may mortgage its property, and shall, except as herein otherwise provided, have all the powers and privileges and be subject to all the duties, liabilities and restrictions set forth in all general laws which now are or hereafter may be in force relating to such corporations.

SECTION 3. This act shall take effect upon its passage.

Approved June 5, 1896.

Chap.505 AN ACT RELATIVE TO THE BOUNDARY LINE BETWEEN THE TOWNS
OF HAMILTON AND IPSWICH.

Be it enacted, etc., as follows :

Part of Hamil-
ton annexed to
Ipswich.

SECTION 1. So much of the town of Hamilton as lies east of the following line, namely: Beginning at a spring on land of F. R. Appleton and situated on the easterly side of the eastern division of the Boston and Maine railroad and on the present boundary line between the towns of Hamilton and Ipswich, thence running westerly and

across said railroad a distance of thirty-one rods, thence north forty and one half degrees west one hundred and thirty-seven and one half rods, thence north nine degrees east one hundred and seventy rods to an old boundary stone on the road leading from Kent's Corner to the back side of Hamilton, — with all the estates therein, is hereby set off from the town of Hamilton and annexed to and made a part of the town of Ipswich. And so much of the town of Ipswich as lies west of the above-described line, with all the estates therein, is hereby set off from the town of Ipswich and annexed to and made a part of the town of Hamilton.

Part of Ipswich annexed to Hamilton.

SECTION 2. The town of Ipswich shall hereafter maintain and keep in repair that portion of the highway on each side of Kent's Corner now held in common by the two towns.

Town of Ipswich to maintain and keep in repair portion of certain highway.

SECTION 3. This act shall take effect upon its passage.

Approved June 5, 1896.

AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF THE COUNTY OF WORCESTER TO EXPEND A SUM OF MONEY IN PART PAYMENT OF THE COST OF A STATUE OF CHARLES DEVENS.

Chap.506

Be it enacted, etc., as follows :

The county commissioners of the county of Worcester are hereby authorized to appropriate and expend a sum not to exceed five thousand dollars for the purpose of defraying one third part of the cost of a statue of the late General and Judge Charles Devens, the same to be erected on the grounds of the Worcester county court house. The sum hereby authorized shall be paid by said commissioners to such person or persons as the city of Worcester and private parties subscribing for said statue may designate, and at such time as the remaining two thirds part of the cost shall have been provided for by said city and parties.

County commissioners may appropriate a sum of money toward cost of statue of Charles Devens.

Approved June 5, 1896.

AN ACT TO PROVIDE FOR CERTAIN IMPROVEMENTS AT THE BERKSHIRE COUNTY JAIL.

Chap.507

Be it enacted, etc., as follows :

SECTION 1. The county commissioners of the county of Berkshire are hereby required to provide shower baths for the prisoners in the jail of said county. The expense incurred for said purpose shall not exceed one thousand

Shower baths to be provided in Berkshire county jail.

dollars, and the whole or a part of the necessary sum may be borrowed by said commissioners on the credit of said county. Said commissioners may use the labor of the prisoners in said jail in making said improvement, and the work shall be completed before the first day of January in the year eighteen hundred and ninety-seven.

SECTION 2. This act shall take effect upon its passage.

Approved June 5, 1896.

Chap. 508 AN ACT RELATIVE TO THE CONSTRUCTION OF A SEA WALL ALONG CHARLES RIVER IN THE CITY OF CAMBRIDGE.

Be it enacted, etc., as follows:

City of Cambridge may construct a sea wall along Charles river under certain conditions.

SECTION 1. If the city of Cambridge, by its city council, acting under the authority heretofore given to it by acts of the general court, should hereafter take and hold by purchase or otherwise, for park purposes, a certain parcel of land situated in said city and bounded as follows:—Southerly, by the United States pier and bulkhead line, established in accordance with the statutes of the United States and approved by the secretary of war on the thirteenth day of February in the year eighteen hundred and ninety, twenty-five hundred and twenty-two feet, more or less; northwesterly by land of The Charles River Embankment Company, two hundred and thirty-one and thirteen one hundredths feet; northerly by a line parallel with said pier and bulkhead line, and two hundred feet distant northerly therefrom, twenty-one hundred and seventy-five feet, more or less, and northeasterly, by Main street and West Boston bridge, two hundred and fifty-four feet, the said city of Cambridge may by its board of park commissioners, subject to the approval of the board of harbor and land commissioners, build a solid sea wall upon the entire southerly line of said parcel of land, the southerly face of which wall shall coincide with the said pier and bulkhead line, between the two termini of said southerly line, and fill to established grades the land included in the foregoing description, so that the level of the same when filled shall coincide with the grade of said West Boston bridge and with the grade of the said adjoining land of The Charles River Embankment Company.

Material used for filling to be dredged from flats, etc.

SECTION 2. The material used for doing the filling hereby authorized shall be dredged from the flats on the northerly side of the channel of Charles river basin, lying

between West Boston bridge and Harvard bridge, in such places and to such depths as the board of harbor and land commissioners, having due regard to the requirements of navigation, the improvement of said basin and the quality of material suitable for such filling, shall from time to time prescribe. All the work in tide water shall be subject to the provisions of all general laws applicable thereto.

SECTION 3. Said city shall be liable to pay all damages Damages. sustained by any persons or corporations by the taking or injury to any of their land, real estate or property for the purposes aforesaid, under and by virtue of this act, so far as provision for the payment of such damages has not heretofore been made by chapter three hundred and forty-one of the acts of the year eighteen hundred and ninety-two and the amendments thereof; and the proceedings for the recovery of such additional damages, if any, as to the time and manner of recovery, and in all other respects, shall be the same as provided in said act and said amendments.

SECTION 4. This act shall take effect upon its passage.

Approved June 6, 1896.

AN ACT TO DIVIDE THE COMMONWEALTH INTO DISTRICTS FOR THE CHOICE OF SENATORS AND COUNCILLORS, AND TO APPORTION REPRESENTATIVES TO THE SEVERAL COUNTIES.

Chap. 509

Be it enacted, etc., as follows:

SENATORIAL DISTRICTS.

SECTION 1. For the purpose of choosing senators Senatorial Districts. until the next decennial apportionment the Commonwealth is hereby divided, agreeably to the provisions of the constitution, into forty districts, as hereinafter specified.

SECTION 2. The towns in the counties of Barnstable, Cape District. Dukes County and Nantucket shall constitute a district, to be known as the Cape District.

SECTION 3. The county of Bristol is divided into three districts, as follows: —

The city of Taunton and the towns of Attleborough, First Bristol District. Berkley, Easton, Mansfield, North Attleborough, Norton, Raynham, Rehoboth and Seekonk shall constitute a district, to be known as the First Bristol District.

Second Bristol District.

The city of Fall River and the towns of Dighton, Somerset and Swanzey shall constitute a district, to be known as the Second Bristol District.

Third Bristol District.

The city of New Bedford and the towns of Acushnet, Dartmouth, Fairhaven, Freetown and Westport shall constitute a district, to be known as the Third Bristol District.

SECTION 4. The county of Plymouth, together with the town of Cohasset in the county of Norfolk, is divided into two districts, as follows : —

First Plymouth District.

The towns of Abington, Carver, Duxbury, East Bridgewater, Halifax, Hanover, Hanson, Hingham, Hull, Kingston, Marshfield, Norwell, Pembroke, Plymouth, Plympton, Rockland, Scituate, Whitman and Cohasset shall constitute a district, to be known as the First Plymouth District.

Second Plymouth District.

The city of Brockton and the towns of Bridgewater, Lakeville, Marion, Mattapoisett, Middleborough, Rochester, Wareham and West Bridgewater shall constitute a district, to be known as the Second Plymouth District.

SECTION 5. The county of Norfolk, exclusive of the town of Cohasset, is divided into two districts, as follows : —

First Norfolk District.

The city of Quincy and the towns of Braintree, Canton, Holbrook, Hyde Park, Milton, Randolph and Weymouth shall constitute a district, to be known as the First Norfolk District.

Second Norfolk District.

The towns of Avon, Bellingham, Brookline, Dedham, Dover, Foxborough, Franklin, Medfield, Medway, Millis, Needham, Norfolk, Norwood, Sharon, Stoughton, Walpole, Wellesley and Wrentham shall constitute a district, to be known as the Second Norfolk District.

SECTION 6. The county of Suffolk, together with the ward numbered three in the city of Cambridge in the county of Middlesex, is divided into nine districts, as follows : —

First Suffolk District.

The city of Chelsea, the towns of Revere and Winthrop and the ward numbered one in the city of Boston shall constitute a district, to be known as the First Suffolk District.

Second Suffolk District.

The wards numbered three, four and five in the city of Boston and the ward numbered three in the city of Cambridge shall constitute a district, to be known as the Second Suffolk District.

The wards numbered two, six and eight in the city of Boston shall constitute a district, to be known as the Third Suffolk District.

The wards numbered seven, nine and seventeen in the city of Boston shall constitute a district, to be known as the Fourth Suffolk District.

The wards numbered ten, twelve and eighteen in the city of Boston shall constitute a district, to be known as the Fifth Suffolk District.

The wards numbered thirteen, fourteen and fifteen in the city of Boston shall constitute a district, to be known as the Sixth Suffolk District.

The wards numbered sixteen, twenty and twenty-four in the city of Boston shall constitute a district, to be known as the Seventh Suffolk District.

The wards numbered twenty-one, twenty-two and twenty-three in the city of Boston shall constitute a district, to be known as the Eighth Suffolk District.

The wards numbered eleven, nineteen and twenty-five in the city of Boston shall constitute a district, to be known as the Ninth Suffolk District.

SECTION 7. The counties of Essex and Middlesex, exclusive of the ward numbered three in the city of Cambridge, are divided into thirteen districts, as follows:—

The wards numbered one, two, three, four, five and seven in the city of Lynn and the towns of Nahant and Swampscott in the county of Essex shall constitute a district, to be known as the First Essex District.

The cities of Beverly and Salem and the towns of Danvers and Marblehead in the county of Essex shall constitute a district, to be known as the Second Essex District.

The cities of Gloucester and Newburyport and the towns of Essex, Hamilton, Ipswich, Manchester, Newbury, Rockport, Rowley and Wenham in the county of Essex shall constitute a district, to be known as the Third Essex District.

The city of Haverhill and the towns of Amesbury, Bradford, Georgetown, Groveland, Merrimac, Salisbury and West Newbury in the county of Essex shall constitute a district, to be known as the Fourth Essex District.

The city of Lawrence and the towns of Andover, Boxford, Methuen, North Andover and Topsfield in the county of Essex shall constitute a district, to be known as the Fifth Essex District.

First Middlesex District.

The city of Newton and the towns of Ashland, Framingham, Holliston, Hopkinton, Natick, Sherborn, Watertown and Weston in the county of Middlesex shall constitute a district, to be known as the First Middlesex District.

Second Middlesex District.

The wards numbered one, two, four and five in the city of Cambridge in the county of Middlesex shall constitute a district, to be known as the Second Middlesex District.

Third Middlesex District.

The city of Somerville and the towns of Arlington and Belmont in the county of Middlesex shall constitute a district, to be known as the Third Middlesex District.

Fourth Middlesex District.

The cities of Everett and Malden and the town of Melrose in the county of Middlesex shall constitute a district, to be known as the Fourth Middlesex District.

Fifth Middlesex District.

The cities of Marlborough, Medford and Waltham and the towns of Lexington, Lincoln, Sudbury, Wayland and Winchester in the county of Middlesex shall constitute a district, to be known as the Fifth Middlesex District.

Sixth Middlesex District.

The wards numbered five and nine in the city of Lowell and the towns of Acton, Ashby, Ayer, Bedford, Billerica, Boxborough, Burlington, Carlisle, Concord, Dunstable, Groton, Hudson, Littleton, Maynard, Pepperell, Reading, Shirley, Stow, Tewksbury, Townsend, Tyngsborough, Westford and Wilmington in the county of Middlesex shall constitute a district, to be known as the Sixth Middlesex District.

Seventh Middlesex District.

The wards numbered one, two, three, four, six, seven and eight in the city of Lowell and the towns of Chelmsford and Dracut in the county of Middlesex shall constitute a district, to be known as the Seventh Middlesex District.

Middlesex and Essex District.

The city of Woburn and the towns of North Reading, Stoneham and Wakefield in the county of Middlesex, the ward numbered six in the city of Lynn and the towns of Lynnfield, Middleton, Peabody and Saugus in the county of Essex, shall constitute a district, to be known as the Middlesex and Essex District.

SECTION 8. The county of Worcester is divided into five districts, as follows : —

First Worcester District.

The wards numbered four, five, six, seven and eight in the city of Worcester shall constitute a district, to be known as the First Worcester District.

Second Worcester District.

The wards numbered one, two and three in the city of Worcester and the towns of Berlin, Bolton, Boylston, Clinton, Harvard, Holden, Lancaster, Sterling and West

Boylston shall constitute a district, to be known as the Second Worcester District.

The city of Fitchburg and the towns of Ashburnham, Athol, Gardner, Leominster, Lunenburg, Royalston, Westminster and Winchendon shall constitute a district, to be known as the Third Worcester District.

The towns of Barre, Brookfield, Charlton, Dana, Dudley, Hardwick, Hubbardston, Leicester, New Braintree, North Brookfield, Oakham, Paxton, Petersham, Philips-ton, Princeton, Rutland, Southbridge, Spencer, Stur-bridge, Templeton, Warren, Webster and West Brook-field shall constitute a district, to be known as the Fourth Worcester District.

The towns of Auburn, Blackstone, Douglas, Grafton, Hopedale, Mendon, Milford, Millbury, Northborough, Northbridge, Oxford, Shrewsbury, Southborough, Sutton, Upton, Uxbridge and Westborough shall constitute a dis-trict, to be known as the Fifth Worcester District.

SECTION 9. The counties of Berkshire, Franklin, Hampden and Hampshire are divided into five districts, as follows : —

The cities of North Adams and Pittsfield and the towns of Adams, Cheshire, Clarksburg, Dalton, Florida, Han-cock, Hinsdale, Lanesborough, New Ashford, Peru, Savoy, Williamstown and Windsor in the county of Berkshire shall constitute a district, to be known as the Berkshire District.

The towns of Alford, Becket, Egremont, Great Bar-ington, Lee, Lenox, Monterey, Mount Washington, New Marlborough, Otis, Richmond, Sandisfield, Sheffield, Stockbridge, Tyringham, Washington and West Stock-bridge in the county of Berkshire, the city of Northampton and the towns of Chesterfield, Cummington, Easthamp-ton, Goshen, Hadley, Hatfield, Huntington, Middlefield, Plainfield, South Hadley, Southampton, Westhampton, Williamsburg and Worthington in the county of Hamp-shire, and the towns of Blandford, Chester and Russell in the county of Hampden, shall constitute a district, to be known as the Berkshire and Hampshire District.

The towns in the county of Franklin and the towns of Amherst, Belchertown, Enfield, Granby, Greenwich, Pelham, Prescott and Ware in the county of Hampshire shall constitute a district, to be known as the Franklin and Hampshire District.

First Hampden District.

The city of Springfield and the towns of Brimfield, Holland, Monson, Palmer, Wales and Wilbraham in the county of Hampden shall constitute a district, to be known as the First Hampden District.

Second Hampden District.

The cities of Chicopee and Holyoke and the towns of Agawam, East Longmeadow, Granville, Hampden, Longmeadow, Ludlow, Montgomery, Southwick, Tolland, West Springfield and Westfield in the county of Hampden shall constitute a district, to be known as the Second Hampden District.

Elections during present political year.

SECTION 10. In case a new election is ordered during the present political year to fill any vacancy in the senate, said election shall be held in the district which elected the senator whose place is vacant, as the same existed prior to the passage of this act.

COUNCILLOR DISTRICTS.

Councillor Districts.

SECTION 11. For the purpose of choosing councillors until the next decennial apportionment the Commonwealth is hereby divided, agreeably to the provisions of the constitution, into eight districts, as hereinafter specified.

First District.

SECTION 12. The Cape, the first and second Plymouth and the second and third Bristol senatorial districts shall constitute a district, to be known as the First Councillor District.

Second District.

SECTION 13. The first Bristol, first and second Norfolk and the seventh and eighth Suffolk senatorial districts shall constitute a district, to be known as the Second Councillor District.

Third District.

SECTION 14. The first and second Suffolk and the first, second and third Middlesex senatorial districts shall constitute a district, to be known as the Third Councillor District.

Fourth District.

SECTION 15. The third, fourth, fifth, sixth and ninth Suffolk senatorial districts shall constitute a district, to be known as the Fourth Councillor District.

Fifth District.

SECTION 16. The first, second, third and fourth Essex and the Middlesex and Essex senatorial districts shall constitute a district, to be known as the Fifth Councillor District.

Sixth District.

SECTION 17. The fifth Essex and the fourth, fifth, sixth and seventh Middlesex senatorial districts shall constitute a district, to be known as the Sixth Councillor District.

SECTION 18. The first, second, third, fourth and fifth Worcester senatorial districts shall constitute a district, to be known as the Seventh Councillor District.

Seventh District.

SECTION 19. The Berkshire, Berkshire and Hampshire, Franklin and Hampshire and first and second Hampden senatorial districts shall constitute a district, to be known as the Eighth Councillor District.

Eighth District.

SECTION 20. In case a new election is ordered during the present political year to fill any vacancy in the council, said election shall be held in the district which elected the councillor whose place is vacant, as the same existed prior to the passage of this act.

Elections during present political year.

APPORTIONMENT OF REPRESENTATIVES.

SECTION 21. The two hundred and forty members of the house of representatives are hereby apportioned to the several counties, agreeably to the provisions of the constitution, until the next decennial apportionment, as follows:—To the county of Barnstable, three representatives; to the county of Berkshire, nine representatives; to the county of Bristol, eighteen representatives; to the county of Dukes County, one representative; to the county of Essex, thirty-three representatives; to the county of Franklin, four representatives; to the county of Hampden, thirteen representatives; to the county of Hampshire, five representatives; to the county of Middlesex, forty-seven representatives; to the county of Nantucket, one representative; to the county of Norfolk (excluding therefrom the town of Cohasset), thirteen representatives; to the county of Plymouth (including, in addition, the town of Cohasset), twelve representatives; to the county of Suffolk, fifty-three representatives; to the county of Worcester, twenty-eight representatives.

Apportionment of representatives to the several counties.

SECTION 22. In case a new election is ordered during the present political year to fill any vacancy in the house of representatives, said election shall be held in the district which elected the representative whose place is vacant, as the same existed prior to the passage of this act.

Elections during present political year.

SECTION 23. This act shall take effect upon its passage.

Approved June 6, 1896.

Chap.510 **AN ACT TO INCORPORATE THE MT. TOM RAILROAD COMPANY.***Be it enacted, etc., as follows :***Mt. Tom Railroad Company incorporated.**

SECTION 1. William S. Loomis, John Olmsted, Austin E. Smith, William R. Hill, Dwight H. Ives, Lyman M. Tuttle, Robert B. Johnson, John G. Mackintosh, Newrie D. Winter, Frederick Harris, Jeremiah F. Sullivan, Henry E. Gaylord and Henry O. Hastings, their associates and successors, are hereby made a corporation under the name of the Mt. Tom Railroad Company, with all the power and privileges and subject to all the duties, conditions and restrictions set forth in all general laws that now are or may hereafter be in force relating to manufacturing and other corporations, as set forth in chapter one hundred and six of the Public Statutes, except as hereinafter provided.

May construct a railroad, erect a hotel, etc.

SECTION 2. Said company is hereby authorized to construct and operate a railroad over land belonging or leased to said company, from a point at the foot of Mount Tom, between Mount Tom and Little Mountain, so-called, in the city of Northampton, to a point at or near the top of said Mount Tom ; to purchase or lease land at the termini of its route and along its route, and to erect and maintain buildings thereon, including a hotel and other buildings for amusement and entertainment.

Motive power, etc.

SECTION 3. Said railroad may be operated by any motive power, and said company is hereby authorized to make, with any other corporation, such leases or contracts for operating said railroad as the directors of such other corporation may agree to and as may be approved by the majority in interest of the stockholders of each corporation at a meeting duly called for that purpose. Said company is hereby authorized to make such lease or leases with the Holyoke Street Railway Company.

Capital stock.

SECTION 4. The capital stock of said company shall not exceed one hundred thousand dollars, except that said company may increase its capital stock, subject to the provisions of all general laws relating to the increase of capital stock of railroad corporations.

May issue bonds.

SECTION 5. Said company may from time to time by the vote of a majority in interest of the stockholders, issue coupon or registered bonds not exceeding one hundred thousand dollars, for a term not exceeding twenty years

from the date thereof: *provided*, that no issue of bonds shall be made unless there shall have been actually paid in an amount of the capital stock equal to the amount of such issue. To secure the payment of such bonds with interest thereon the said company may make a mortgage of its road, franchise and any other part of its property, and may include in such mortgage property thereafter to be acquired, and may therein reserve to its directors the right to sell or otherwise in due course of business dispose of property included therein which may have become worn, damaged or unsuitable for use in the operation of its road, provided an equivalent in value is substituted therefor; and all bonds issued shall first be approved by some person appointed by the company for that purpose, who shall certify upon each bond that it is properly issued and recorded.

Provided.

SECTION 6. All stock and bonds authorized by this act shall be issued and disposed of in accordance with the provisions of all general laws relating to the issue of stocks and bonds by railroad corporations.

Issue, etc., of stock and bonds.

SECTION 7. Said company shall be exempt from all general laws as to mileage or fares for the carrying of passengers on its road.

To be exempt from certain general laws.

SECTION 8. The provisions of this act shall be void if the said company shall not have constructed and operated said road on or before the first day of May in the year eighteen hundred and ninety-nine.

Road to be constructed, etc., on or before May 1, 1899.

Approved June 6, 1896.

AN ACT TO AUTHORIZE THE WORCESTER AND SHREWSBURY STREET RAILWAY COMPANY AND THE WORCESTER AND SHREWSBURY RAILROAD COMPANY TO LEASE THEIR PROPERTY TO THE WORCESTER CONSOLIDATED STREET RAILWAY COMPANY.

Chap. 511

Be it enacted, etc., as follows:

The Worcester and Shrewsbury Street Railway Company and the Worcester and Shrewsbury Railroad Company are hereby authorized severally to lease their railways, franchises and other property to the Worcester Consolidated Street Railway Company, for a term not exceeding ninety-nine years from the date of said lease, and the Worcester Consolidated Street Railway Company is hereby authorized to accept such leases. Said leases shall be upon such terms and conditions, including rates

The Worcester and Shrewsbury Street Railway Company and the Worcester and Shrewsbury Railroad Company may lease their railways, etc.

of fare, as the directors and stockholders of the respective corporations shall agree upon, subject to the approval of the board of railroad commissioners, according to the provisions of chapter five hundred and six of the acts of the year eighteen hundred and ninety-four.

Approved June 6, 1896.

Chap. 512 AN ACT MAKING AN APPROPRIATION FOR SALARIES AND EXPENSES
AT THE STATE NORMAL SCHOOL AT NORTH ADAMS.

Be it enacted, etc., as follows:

Normal school
at North
Adams.

SECTION 1. A sum not exceeding six thousand dollars is hereby appropriated, to be paid out of the moiety of the income of the Massachusetts School Fund applicable to educational purposes, and the excess, if any, from the treasury of the Commonwealth, for the payment of salaries and expenses at the state normal school at North Adams, during the year ending on the thirty-first day of December in the year eighteen hundred and ninety-six.

SECTION 2. This act shall take effect upon its passage.

Approved June 6, 1896.

Chap. 513 AN ACT TO PROVIDE FOR AIDING TOWNS IN THE CONSTRUCTION
AND MAINTENANCE OF BETTER ROADS.

Be it enacted, etc., as follows:

Road machines
to be furnished
at the expense
of the Com-
monwealth for
use in certain
towns, etc.

SECTION 1. Upon the application to the Massachusetts highway commission of the county commissioners of any county, made at the request of any town of not more than twelve thousand inhabitants within said county, there shall be furnished by said highway commission to said county, at the expense of the Commonwealth, one or more steam rollers, portable stone crushers and such other road machines as the said highway commission may deem necessary for the construction and maintenance of better roads in the town making such request. Such machines shall remain the property of the Commonwealth and shall be managed and maintained under the direction of the county commissioners. The county commissioners shall engage competent engineers and skilled mechanics to operate said machines, who shall be paid from the county treasury such sums for each day's actual services as the county commissioners may determine. The expenses so incurred shall be repaid to the county by the towns using said ma-

chines, as apportioned by the county commissioners, in proportion to the time in which such machines were used by them.

SECTION 2. Chapter four hundred and eighty-six of the acts of the year eighteen hundred and ninety-five is hereby repealed. Repeal.

SECTION 3. This act shall take effect upon its passage.

Approved June 6, 1896.

AN ACT RELATIVE TO RELEASES FROM THE PARENTAL SCHOOL OF Chap. 514
THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. The institutions commissioner of the city of Boston, with the approval of the superintendent of schools of said city, and of a justice of the court which imposed the sentence, may at any time permit any child now or hereafter committed to the Parental School of said city to be at liberty upon such terms and conditions as said superintendent of schools and said institutions commissioner shall together deem best. Releases of children from the Parental School of Boston.

SECTION 2. If any child who is permitted to be at liberty, as provided by the preceding section, violates, in the opinion of said superintendent of schools and said institutions commissioner, the terms and conditions of his release so that he is in their judgment a fit subject to be returned to said Parental School, said institutions commissioner, at any time previous to the expiration of the term for which such child shall have been committed to said Parental School, may revoke such permit. Permits may be revoked in certain cases.

SECTION 3. Said commissioner, when any such permit to a child has been revoked, shall issue an order directed to a truant officer or police officer of said city to arrest such child and return him to said Parental School; and any such officer holding said order shall arrest such child and return him to said Parental School, where he may thereupon be held, subject to the provisions of this act, for the unexpired portion of the term of the original sentence. All costs and expenses incurred by such officer in the arrest and return of such child to said school shall be paid to said officer by the city of Boston, when approved by a justice of the court which imposed the sentence. Arrest and return of children.

Repeal.

SECTION 4. All acts and parts of acts so far as they are inconsistent with the provisions of this act are hereby repealed.

SECTION 5. This act shall take effect upon its passage.

Approved June 6, 1896.

Chap. 515

AN ACT RELATIVE TO ASSESSMENT INSURANCE CORPORATIONS.

Be it enacted, etc., as follows:

The words
"Assessment
Plan" to be
printed in cer-
tain policies,
etc.

SECTION 1. Hereafter in every policy or certificate issued to a resident of Massachusetts by any corporation transacting therein the business of life insurance upon the assessment plan, and in every application for such policy or certificate, there shall be printed in bold type, making one of the principal lines near the top thereof, the words "Assessment Plan", and the same words shall be printed conspicuously in or upon every circular, card, advertisement and printed document issued by such corporation within this Commonwealth.

Persons failing
to pay assess-
ments to be noti-
fied, etc.

SECTION 2. At the expiration of the time for payment stated in each call or notice of an assessment for mortuary, disability or expense purposes, made by any corporation referred to in the preceding section, the officers of such corporations shall at once forward by registered mail to each person who has failed to make the payment demanded, a notification of such failure, and if within fifteen days after the receipt of such notification, as shown by the date upon the return card, the insured shall make payment of such call or assessment, with the additional amount of fifty cents, such policy or certificate shall be continued in force the same as if payment had been made under the terms of the original call or assessment.

Commission
may be ap-
pointed to
investigate
management,
etc.

SECTION 3. Whenever a petition signed by not less than one tenth of the holders residing in Massachusetts, of policies or certificates outstanding upon the thirty-first day of December next preceding the date of the petition, as shown by the annual statement of said company to the insurance commissioner, of any domestic assessment insurance company or association doing business under chapter four hundred and twenty-one of the acts of the year eighteen hundred and ninety and acts in amendment thereof, shall be presented to the governor asking for an investigation of the management, business and affairs of said company or association, the governor shall, by and

with the consent of the council, appoint a commission of not less than three nor more than seven policy or certificate holders of said company, who shall be residents of this Commonwealth, none of whom shall be an officer, director, agent or employee of any life insurance company or assessment association. Said commission shall forthwith proceed thoroughly to inspect and examine the affairs of said company, especially as to its financial condition and ability to fulfil its obligations, and whether it has complied with the laws of this Commonwealth, and whether the officers thereof have been guilty of any fraudulent or unlawful conduct in the management of its affairs. For the purposes of such investigation said commission shall have the power to employ all necessary agents, examiners, experts and counsel, but shall not so employ any person who is an officer, director, agent or employee of any other life insurance company or assessment association. For the purpose of such examination the commission, or persons making the examination for them, shall have free access to all books, papers and contracts of said company, or which relate to its business, and may summon and qualify as witnesses under oath, and examine, the directors, officers, agents and trustees of such company or association, and any other persons, in relation to its business, its present and past affairs, transactions and condition. Any justice of the supreme judicial court or of the superior court, either in term time or vacation, upon the application of the commission, may in his discretion compel the attendance of such witnesses and the giving of testimony before the commission, in the same manner and to the same extent as before said courts. The reasonable compensation of and expenses incurred by such commission for such examination, including the payment of expenses and compensation of all persons employed by said commission, shall be paid by the company or association, after the same have been first approved by the governor and council. The report of such commission shall be made to the governor and council as soon as possible, and so much thereof as the governor and council may deem proper shall be printed in the next annual report of the insurance commissioner; and if the governor and council deem it advisable a copy of said report or any portions thereof shall be sent by the officers of said company or association to each policy holder thereof. In any

To inspect and examine affairs of company, etc.

May employ necessary agents, etc.

To have free access to books, papers, etc.

Attendance of witnesses.

Compensation of commission, etc.

Report, etc.

year when such examination is made by such commission the insurance commissioner shall not be required to make an examination of said company, unless he deems the interest of the public and policy holders so require.

Contract of transfer or re-insurance to be approved, etc.

SECTION 4. No corporation shall transfer its risks to or reinsure them in any corporation, company or association doing business under the provisions of chapter four hundred and twenty-one of the acts of the year eighteen hundred and ninety and acts in amendment thereof, unless the said contract of transfer or reinsurance is first submitted to and approved by a two thirds vote of the policy holders of each corporation present at meetings called to consider the same, of which meetings written or printed notice shall be mailed to each policy or certificate holder at least thirty days before the date fixed for said meeting, and unless the said contract of transfer or reinsurance is first submitted to and approved by the insurance commissioner.

Medical examination.

SECTION 5. No corporation, except a corporation engaged in the business of accident insurance, transacting the business of life insurance upon the assessment plan, shall enter into any contract of insurance upon lives within this Commonwealth without having previously made, or caused to be made, a prescribed medical examination of the insured by a registered medical practitioner.

Penalty.

Any assessment insurance company violating the provisions of this section, or any officer, agent or other person soliciting or effecting or attempting to effect a contract of insurance contrary to the provisions hereof shall be deemed guilty of misdemeanor, and shall be punished by a fine not exceeding one hundred dollars for each offence.

1890, 421, § 13, amended.

SECTION 6. Section thirteen of chapter four hundred and twenty-one of the acts of the year eighteen hundred and ninety is hereby amended by striking out the whole of said section and inserting in place thereof the following: — *Section 13.* When the insurance commissioner, or a commission appointed by the governor upon petition of policy holders, on investigation are satisfied that any such corporation, company or association has exceeded its powers, or has failed to comply with any provisions of law, or has conducted business fraudulently, or that its condition is such as to render its further proceedings hazardous to the public or to its policy holders, they shall report the facts to the attorney-general, who may thereupon apply to a justice of the supreme judicial or superior

Corporations conducting business fraudulently, etc., to be proceeded against.

court for an injunction restraining such corporation, company or association in whole or in part from the further prosecution of business. Such justice may in his discretion issue an injunction forthwith, or upon notice and hearing thereon may issue such injunction or decree for the removal of any officer of said corporation, company or association, and substitute a suitable person to serve in his stead until a successor is chosen, and after a full hearing on the matter may dissolve or modify such injunction or make it perpetual, and make such further orders and decrees as the interests of the corporation, company or association, the policy holders and the public may require; and may appoint a receiver to take possession of the property and effects of the corporation, company or association, and to settle its affairs, subject to such rules and orders as the court may from time to time prescribe, according to the course of proceedings in equity. No order, judgment or decree appointing a temporary or permanent receiver of any domestic corporation, company or association doing business under the provisions of this act shall be made or granted otherwise than upon the application of the attorney-general, on his own motion, or at the relation of said insurance commissioner, or said commission appointed by the governor, upon petition of policy holders, except in an action by a judgment creditor, or in proceedings supplementary to an execution.

SECTION 7. Section twenty of chapter four hundred and twenty-one of the acts of the year eighteen hundred and ninety, as amended by chapter two hundred and sixty-three of the acts of the year eighteen hundred and ninety-five, is hereby amended by striking out all of said section and inserting in place thereof the following:—

1890, 421, § 20,
etc., amended.

Section 20. No corporation, company or association doing business under this act shall issue a certificate or policy upon the life of any person more than sixty years of age; nor upon a life in which the beneficiary named has no interest: *provided, however*, that such corporations which insure against accident only may issue policies or certificates on the lives of persons not over seventy years of age. Every call for payments by the policy or certificate holders shall distinctly state the purpose of the same and whether any part thereof shall or may be used for expenses, and if so, how much; *provided, however*,

Not to issue
policy upon life
of person more
than sixty years
of age, etc.

Proviso.

that no portion of assessments called for mortuary or disability purposes shall be used for expenses without the consent and approval in writing of the insurance commissioner. No call in excess of the last prior call shall be made without the consent and approval in writing of the insurance commissioner, a copy of which consent and approval shall be duly sent to each policy or certificate holder upon whom such call is made.

Form of policy, etc., to be approved by insurance commissioner.

SECTION 8. No policy or certificate of insurance shall be issued by any corporation, company or association transacting the business of life insurance upon the assessment plan under the provisions of chapter four hundred and twenty-one of the acts of the year eighteen hundred and ninety and acts in amendment thereof, except in such form as shall be first approved by the insurance commissioner.

Not to apply to fraternal beneficiary associations.

SECTION 9. The provisions of this act shall not apply to fraternal beneficiary associations transacting business in this Commonwealth.

Not to apply to certain companies, etc.

SECTION 10. The provisions of this act shall not apply to associations or companies transacting only an accident or casualty business upon the assessment plan.

When to take effect.

SECTION 11. This act shall take effect upon its passage: *provided, however*, that the provisions of section one shall not take effect until the first day of July in the year eighteen hundred and ninety-six.

Approved June 6, 1896.

Chap. 516 AN ACT TO PROVIDE FOR A UNION STATION FOR PASSENGERS ON RAILROADS ENTERING THE SOUTHERLY PART OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

The Boston Terminal Company incorporated.

SECTION 1. Charles F. Choate, William Bliss, William T. Hart, Royal C. Taft, and Charles P. Clark, their associates and successors, are hereby make a corporation by the name of The Boston Terminal Company, with power to construct and maintain a union passenger station in the southerly part of the city of Boston, and to provide and operate adequate terminal facilities for the several railroad companies hereinafter authorized to hold the stock of said terminal company, and for the accommodation of the public in connection therewith.

Capital stock.

SECTION 2. The capital stock of said corporation shall be five hundred thousand dollars, and the Boston and

Albany Railroad Company, the New England Railroad Company, the Boston and Providence Railroad Corporation, the Old Colony Railroad Company, and the New York, New Haven and Hartford Railroad Company, being lessee of the Old Colony Railroad Company, may each subscribe for and hold one fifth portion of the said capital stock. The corporation may by by-laws regulate the terms and conditions upon which its stock may be transferred. All said capital stock shall be paid in in cash by said railroad companies before the corporation takes any land under the provisions of this act.

SECTION 3. The immediate government and direction of the affairs of said terminal company shall be vested in a board of five trustees, to be appointed at once on the organization of said company, one of whom shall be appointed by each of said railroad corporations from its directors, to hold office as such trustee at the pleasure of the corporation by whom he is so appointed; any vacancy to be filled in like manner. The trustees shall elect one of their number to be chairman, and may elect another to be vice chairman, and shall choose a clerk who shall be sworn, and a treasurer who shall give bond in the sum required by the by-laws, with surety, for the faithful discharge of his duties.

Board of trustees, appointment, etc.

To elect certain officers, etc.

SECTION 4. Said terminal company, to provide means to carry out the purposes of this act, may from time to time issue coupon or registered bonds, in sums of not less than one hundred dollars each, payable at periods not exceeding one hundred years from the date thereof, bearing interest not exceeding four per cent. per annum, payable annually, semi-annually, or quarterly, to such an amount as may be necessary and as may be approved by the board of railroad commissioners. No bonds shall be issued unless approved in writing by at least three of the trustees of the corporation. Said corporation may mortgage or pledge as security for the payment of such bonds or of any bonds given in renewal thereof, a part or all of its real estate and other property. In case any mortgage made to secure bonds issued by the terminal company under the provisions of this act shall be foreclosed, and there shall not be thereby realized a sum sufficient to pay all the then outstanding bonds secured by said mortgage, said railroad companies shall be held liable to pay any deficiency in the amount required to pay all of said bonds

May issue bonds.

Bonds to be approved, etc.

Railroad companies to be liable for certain deficiencies, etc.

and the interest thereon in such proportions as may be just and equitable, having regard to the use which they or their lessees may have respectively had of the mortgaged property; and the supreme judicial court shall have jurisdiction in equity to determine such proportions and to compel such payments to be made, so that the full payment of the principal and interest of bonds issued under the provisions of this act by the terminal company shall not in any event fail. Any such mortgage shall be made to a trustee or trustees approved in writing by the board of savings banks commissioners, and savings banks and institutions for savings may invest in such bonds when so secured.

May take
certain land.

SECTION 5. Said terminal company may purchase or otherwise take in fee the whole or any part of the land in the city of Boston within the following limits, that is to say:—Beginning at the easterly corner of Atlantic avenue and a way called Summer street, thence bounded by the northerly line of said way extended to Fort Point channel; thence by said channel to Broadway; thence by Broadway to the westerly line of Lehigh street; thence by the westerly line of Lehigh street and by South street, Kneeland street and the westerly line of Cove street extended to Federal street; thence by the westerly line of Federal street to Summer street, and thence across public ways to the point of beginning; and may discontinue and occupy for its purposes all streets and rights of way embraced within the land so acquired: *provided, however*, that no land belonging to the Boston and Albany Railroad Company or to the Old Colony Railroad Company shall be taken by said terminal company without the consent of the directors of both of said railroad companies; and *provided, further*, that the portion of Federal street to be discontinued under the provisions of this act shall not be closed to travel prior to the completion of the extension of Summer street and the extension of Dorchester avenue hereinafter provided for, and the opening of the same to travel, unless a temporary provision for the travel over such portion of Federal street, so that the travel shall not be interrupted, is provided for in some manner approved by the mayor, such temporary accommodation to continue until the completion of said Dorchester avenue and Summer street, and *provided, further*, that if said terminal company shall take for the purpose of this act any part

Proviso.

of the land within the limits before described, owned by the Boston Gas Light Company, it shall take the whole of the land owned by said Boston Gas Light Company within said limits.

SECTION 6. Said terminal company, upon the passage of this act, shall forthwith organize, and thereupon the trustees thereof shall at once prepare plans and specifications for the construction of a union passenger station upon land herein-above authorized to be taken, adequate for the business to be accommodated, and of such construction as may be best adapted for the accommodation of the companies and of the public, exhibiting its form, dimensions of walls, rooms and partitions, and arrangements, and its location with reference to the adjacent streets and to the tracks of all said railroad companies located or proposed to be located in the vicinity thereof, and any projections over adjacent streets, so far as practicable, and shall submit said plans when completed to the mayor of Boston for his approval, who shall forthwith approve or disapprove them in writing. The trustees shall then at once submit said plans to the board of railroad commissioners for its approval, and said board, after notice to the railroad companies and to the mayor of Boston, and a hearing, shall approve the plans, or order such changes thereof as in their judgment the safety and convenience of the public and the interests of all said railroad companies require. Said station shall be constructed by the terminal company according to the plans thus approved by the board of railroad commissioners, or as the same may be changed, as hereinafter provided. The supreme judicial court, or any justice thereof, shall have jurisdiction in equity to enforce the provisions of this section.

Company to organize; plans, etc., for construction of a union passenger station to be prepared, etc.

Plans to be approved by railroad commissioners, etc.

SECTION 7. Said terminal company, within three months after the plans of said union station are approved as above-provided, shall file in the registry of deeds for the county of Suffolk a location of the lands hereby authorized to be taken by it, or of such part thereof as it then deems it necessary to acquire, and shall proceed with all reasonable diligence to the construction and completion of such union passenger station according to said plans. But the trustees of the terminal company may from time to time propose to the mayor of Boston any changes in said plans, and the mayor shall forthwith

Location of lands to be filed, etc.

Trustees may propose changes in plans, etc.

approve or disapprove such changes in writing, and the trustees shall then at once submit such changes to the board of railroad commissioners, who, after notice to the mayor and to the railroad companies, and a hearing, shall approve the same, or order such modifications thereof as in their judgment the safety and convenience of the public and the interests of all said railroad companies require.

Rules and regulations for the use of union passenger station and grounds.

SECTION 8. Said terminal company, upon the completion of said union passenger station and grounds, shall make reasonable rules and regulations for their use; and the board of railroad commissioners, upon the application of either of said companies or of the mayor of the city of Boston, and a hearing may, from time to time, make any modification of such rules and regulations which they may deem just and reasonable. Such rules and regulations shall be binding upon all corporations and persons in the use of said station and grounds, and shall be enforced by railroad police officers who may be appointed upon the application of the terminal company, in the same manner and with the same powers in said station and grounds, and with like liability of the terminal company for their acts, as railroad police officers under the general law.

Railroad companies to use station upon its completion, etc.

SECTION 9. All said railroad companies upon the completion of said station shall use the same, and the terminal facilities provided by said terminal company on the land herein-above authorized to be taken, for all of their terminal passenger business in Boston, instead of the passenger terminals now used by them, and the supreme judicial court, or any justice thereof, shall have jurisdiction in equity to enforce this provision; but said terminal company may contract with either of said railroad companies for the use of such separate and specified portion or portions of the terminal station hereinafter provided for as may be reasonably necessary for their respective use.

Railroad companies to pay for use of station, etc.

SECTION 10. Said railroad companies hereby required to use said union station shall pay to the terminal company for such use, in monthly payments, such amounts as may be necessary to pay the expenses of its corporate administration and of the maintenance and operation of said station, and of the facilities connected therewith and owned by said terminal company, including insurance and all repairs, all taxes and assessments which may be required to be paid by said terminal company, the interest

upon its bonds or other obligations issued under the provisions of this act as the same shall become payable, and a dividend, not to exceed four per cent. per annum, upon its capital stock. Each of said railroad companies shall pay for such use of said station and facilities in the proportion in which it has the use thereof, the same to be fixed by the written agreement of all of said railroad companies before the completion of said station; and in case they fail thus to agree the board of railroad commissioners shall determine such proportions upon the application of said terminal company or of any of the railroad companies. Said proportions as thus fixed, either by agreement or by the decision of the board of railroad commissioners, may be revised and altered from time to time, either by the written agreement of all of the railroad companies at any time, or by the board of railroad commissioners upon like application, at intervals of not less than three years. The decisions of the board of railroad commissioners fixing said proportions of payments shall be final and binding upon all of said railroad companies, and the payments required to be made by them respectively to said terminal company either by such agreement or decisions shall be deemed a part of their operating expenses, and the supreme judicial court or any justice thereof shall have jurisdiction in equity to compel such payments to be made, either by mandatory injunction or by other suitable process.

Proportion in which companies shall pay.

Proportions may be revised, etc.

SECTION 11. In order to render the union station and passenger facilities herein provided to be constructed and maintained by the terminal company accessible and convenient for public use, the following changes shall be made by the board of street commissioners of the city of Boston in its streets and public places, to wit: — Lehigh street between South street and Broadway bridge shall be discontinued; Cove street shall be widened to the width of at least one hundred feet, and extended at the width to which it may thus be widened to Summer street extended as required by this act; all of Federal street between Essex street and Federal street bridge which is not embraced within land which the terminal company is authorized to take, or which is not included in the above widening or extending of Cove street, shall be discontinued; Summer street shall be extended at least one hundred feet in width from Purchase street to the harbor

Changes to be made in streets, etc.

commissioners' line; Dorchester avenue shall be extended over Federal street bridge, and thence laid out at a width of ninety-two feet, upon land which the terminal company shall convey to the city without compensation, substantially parallel with the harbor commissioners' line, to Summer street so extended, and said terminal company shall convey in fee to the city such of its land acquired under this act as may be required by said street commissioners for said widening and extension of Cove and Summer streets, at its actual reasonable cost to said terminal company; Albany street and Broadway, and the bridges thereof over the Boston and Albany tracks, shall be changed so as to enable the two southerly main tracks and two additional main tracks south of them to be extended thereunder to the grounds of the terminal company. Said board of street commissioners shall discontinue, widen, and lay out said streets in such manner as may be approved by the mayor, and said city shall construct said streets and make said changes in said bridges as above-specified: *provided, however*, that the terminal company shall construct a bridge for the accommodation of foot passengers or a subway from the end of the new Cove street to meet Dorchester avenue at a convenient place, as determined by the railroad commissioners and street commissioners, sitting jointly, whenever said commissioners deem it necessary. The supreme judicial court or any justice thereof shall have jurisdiction in equity to enforce the provisions of this section.

Proviso.

Certain land may be released, etc.

SECTION 12. Said terminal company and the city of Boston may each release to the other any land which may be necessary for the uses of said terminal company, or for public ways or places respectively, upon such terms as may be agreed upon between the trustees of the terminal company and the mayor and the board of street commissioners of said city; and said railroad companies may convey to each other any land or interest in land in Boston owned by them respectively, which it may be found proper to transfer for convenience in the approach to or use of the station and grounds of said terminal company.

City of Boston may issue notes, bonds, etc.

SECTION 13. For the purpose of paying any expenses incurred by the city of Boston in carrying out the provisions of this act the city council of said city may from time to time, on the request of the mayor, authorize the

city treasurer to issue notes, bonds or scrip of said city to the amount specified in any such request, for a term or terms not exceeding thirty years from the date thereof, provided the sum total of such amounts shall not exceed two million dollars. If the city council shall not within thirty days after a request from the mayor authorize the loan requested, then the city treasurer of said city shall, on the request of the mayor, issue and sell notes, bonds or scrip of said city, for the purpose of paying such expenses, which shall be outside of the debt limit, and shall be for such terms not exceeding five years, as said treasurer shall determine, provided that the amount of said loan shall not exceed two million dollars. All such notes, bonds or scrip, whether inside or outside of the debt limit, shall be negotiable, shall bear interest payable semi-annually, shall be registered or with interest coupons attached, and shall be sold and disposed of in such manner, at such times, at such prices, in such amounts, and at such rates of interest not exceeding four per cent. per annum, as said treasurer may determine; and any premiums received by said treasurer in the sale of any of said notes, bonds or scrip shall, if the notes, bonds or scrip are issued for a term of ten years or more, be paid to the board of commissioners of sinking funds of said city, and be by them placed in the sinking fund for the redemption of the loan created; otherwise they shall be applied to the payment of said notes, bonds or scrip, or to the payment of said expenses, as the mayor may determine.

City of Boston
may issue
notes, bonds,
etc.

SECTION 14. The board of street commissioners of the city of Boston shall, within two years after the completion of said union station, assess upon any real estate in the city of Boston which in the opinion of said board receives any benefit and advantage from the location and construction of said union station, Summer street and Cove street, beyond the general advantage to all real estate in said city, a proportionate part of one half of the expense incurred by said city therefor, but in no case exceeding such benefit and advantage: *provided, however*, that said terminal company shall convey in fee to said city all the lands easterly of the westerly line of Dorchester avenue extended, without requiring any compensation therefor, and all the land except the piece between Purchase street and Atlantic avenue required for the laying out, widening

Real estate
benefited to be
assessed a pro-
portionate part
of one half of
expense in-
curred by city,
etc.

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Certain provisions of law to apply.

The Union Freight Railroad Company to relocate certain tracks.

Relocations to be filed, etc.

The West End Street Railway Company to relocate certain tracks.

Relocations to be filed, etc.

The New England Railroad Company may take certain land, extend its road, etc.

and extension of Cove street and Summer street, at its actual reasonable cost to said company; and the city of Boston shall assume all such assessments which may be assessed upon land of said terminal company, or of either of said railroad companies, held for railroad purposes. Except as otherwise provided in this section, sections two, three, five, six, seven and eight of chapter fifty-one of the Public Statutes shall apply to assessments under this section.

SECTION 15. The Union Freight Railroad Company shall, upon the request of the terminal company or of the mayor of Boston, remove its tracks on Federal street as now existing, and relocate and maintain the same on Dorchester avenue as extended under this act, Summer street extended, or on Cove street and Summer street to Atlantic avenue, or on either of said routes, as they are or shall be established and constructed under the provisions of this act, with the same powers and privileges and subject to the same duties, restrictions and liabilities now existing as to said tracks as located in their present location, upon such locations and in such manner as may from time to time be approved by the mayor, and such relocations thereof shall be filed in the office of the city clerk. - The supreme judicial court or any justice thereof shall have jurisdiction in equity to compel compliance with the provisions of this section.

SECTION 16. The West End Street Railway Company shall, upon the request of the terminal company or of the mayor of Boston, remove its tracks on Federal street as now existing between Summer street and Federal street bridge, and relocate and maintain the same, with all necessary turn-outs and connections on Summer street as extended, on Dorchester avenue as extended and on Cove street as widened and extended under this act, upon such locations and in such manner as may be from time to time approved by the mayor; and such relocations thereof shall be filed in the office of the city clerk. The supreme judicial court or any justice thereof shall have jurisdiction in equity to compel compliance with the provisions of this section.

SECTION 17. The New England Railroad Company, for the purpose of connecting its road with the union station herein authorized to be constructed, may extend its road from a point in the city of Boston as near the

northerly end of its South Bay drawbridge as it may find practicable, to said terminal company's grounds, and for that purpose may purchase or otherwise take in fee a strip of land not exceeding thirty feet in width through the land and location of the Old Colony Railroad Company, parallel to its main tracks as they may be then located, subject however to the right of the Old Colony Railroad Company to cross the same; and the New England Railroad Company, the Old Colony Railroad Company and the Boston and Providence Railroad Corporation may jointly or separately construct such bridges across Fort Point channel as may be required for the adequate connection of their roads with each other and with the grounds of the terminal company, the plans thereof to be approved by the harbor and land commissioners; and said New England Railroad Company may use the proceeds of bonds issued under its mortgage made the second day of September in the year eighteen hundred and ninety-five, and recorded with Suffolk county deeds on the twelfth day of September in the year eighteen hundred and ninety-five, to pay any expenses incurred by it under the provisions of this act.

Bridges may be constructed across Fort Point channel, etc.

The New England Railroad Company may use proceeds of certain bonds to pay expenses.

SECTION 18. The Boston and Providence Railroad Corporation, for the purpose of connecting its road with the union passenger station hereby required to be constructed, may extend its road from a point at or near Dartmouth street to said terminal company's grounds, and thus abolish the grade crossing of its road and the road of the Boston and Albany Railroad Company, and for that purpose may purchase or otherwise take in fee within seven years after the completion of said union passenger station, or within such further time as said corporations may with the approval of the railroad commissioners agree, a strip of land on the southerly side of and adjacent to the main tracks of the Boston and Albany Railroad Company as they shall be then established, not exceeding one hundred feet in width; but it shall not take any land of the Boston and Albany Railroad Company within seven feet of the main tracks of the railroad of that company as then existing, without the consent of the directors of that company. And for the purpose of providing a station and facilities for passengers and public accommodation as hereinafter provided, in substitution for its present passenger station and facilities at Park

The Boston and Providence Railroad Corporation may take certain land for extension of road, etc.

May take certain land for a station in substitution for its present station, etc.

Location to be
filed, etc.

square, which such change of its road to enable it to use the union station will require to be abandoned, the Boston and Providence Railroad Corporation may purchase, or otherwise take in fee, any land within the following limits, to wit: — Bounded by land of the Boston and Albany Railroad Company, Columbus avenue, and Buckingham, Dartmouth, Harwich and Yarmouth streets, and the land now of the Boston and Providence Railroad Corporation, and any other land adjacent thereto, within such limits as the board of railroad commissioners may upon hearing in writing prescribe; and said corporation shall file a location of the land hereinbefore authorized to be taken by it, or of so much thereof as it then deems it necessary to take, in the registry of deeds for the county of Suffolk, within three months after the plans for such station and facilities are approved as hereinafter provided, and shall thereupon, either alone or with the Boston and Albany Railroad Company, if they so agree, proceed with all reasonable diligence to the construction of a passenger station thereon as herein provided.

To prepare
plans, etc., for
construction of
station, etc.

SECTION 19. The Boston and Providence Railroad Corporation shall, within six months after said terminal company files its first location of land herein authorized to be taken for the construction of a union passenger station, prepare plans and specifications for the construction of a passenger station and approaches thereto and facilities for passengers and public accommodation, which shall be an adequate substitute for its present passenger station and facilities at Park square, and adequate for the business to be accommodated, and of such construction as may be best adapted for the accommodation of the railroad and the public, exhibiting its form, dimensions of walls, rooms, and partitions and arrangements, and its location with reference to the adjacent streets and to the tracks of all railroad companies located or proposed to be located in the vicinity thereof, and any projection over adjacent streets, so far as practicable, and shall submit said plans when completed to the mayor of Boston for his approval, who shall forthwith approve or disapprove them in writing. The Boston and Providence Railroad Corporation shall then at once submit said plans to the board of railroad commissioners for its approval, and said board, after notice to the railroad companies and to the mayor of Boston, and a hearing, shall approve the plans, or order such

Plans to be
submitted for
approval, etc.

changes thereof as in their judgment the safety and convenience of the public and the interests of the railroad companies require. Said station, approaches and facilities shall be constructed and provided by the Boston and Providence Railroad Corporation according to the plans thus approved by the board of railroad commissioners, or as the same may be changed as hereinafter provided, and the supreme judicial court or any justice thereof shall have jurisdiction in equity to enforce the provisions of this section. But the Boston and Providence Railroad Corporation may from time to time propose to the mayor of Boston any changes in the plans for said station, approaches and facilities, and the mayor shall forthwith approve or disapprove such changes in writing, and the corporation shall then at once submit such changes to the board of railroad commissioners, who, after notice to the mayor and the railroad companies, and a hearing, shall approve the same, or order such modifications thereof as in their judgment the safety and convenience of the public and the interests of the railroad companies require.

SECTION 20. The Boston and Providence Railroad Corporation and its lessees, upon the completion of said union station and of the station or stations herein required to be constructed near Dartmouth street, shall abandon the use of their present station in Park square for railroad purposes, and their railroad northerly of the crossing of the railroad of the Boston and Albany Railroad Company near and easterly of Dartmouth street, and the board of street commissioners of the city of Boston shall lay out, and said city shall construct, suitable approaches to said station or stations to be constructed near Dartmouth street, in such directions and at such grades as said board shall deem the public convenience and necessity require, and as the mayor of said city shall approve.

To abandon use of present station, etc.

City to construct suitable approaches, etc.

SECTION 21. The Boston and Albany Railroad Company shall contract with the Boston and Providence Railroad Corporation and with its lessees for the construction or common use of said station and facilities, or for the construction and use of a joint station at or near said point, in accordance with plans and specifications to be prepared and approved in the manner herein-above provided for the preparation and approval of plans for the construction of a station by the Boston and Providence Railroad Corporation, or if it does not so contract, then

The Boston and Albany Railroad Company to contract for construction or common use of station, etc.

May take certain lands, etc.

May discontinue certain stations, etc.

To abandon its present location, remove tracks, take certain land, etc.

Certain provisions of law to apply, etc.

upon the completion of the union passenger station it shall construct and open for public use a station or stations adequate for the accommodation of the public, at some point or points near Dartmouth street, and for that purpose it may purchase or otherwise take in fee any land within the following limits, to wit: Bounded southerly by the location of the Boston and Albany Railroad Company, westerly by Dartmouth street, northwesterly by land of the heirs of Eben D. Jordan, Trinity place, and land of the Massachusetts Institute of Technology, and easterly by the westerly line of Clarendon street extended. And whenever a station upon the tract of land herein above-described is opened for use, the Boston and Albany Railroad Company may discontinue its present passenger stations at Columbus avenue and Huntington avenue. The supreme judicial court or any justice thereof shall have jurisdiction in equity to compel compliance with the provisions of this section.

SECTION 22. The Boston and Albany Railroad Company, within six months after the completion of said union station, shall abandon its present location from the southerly line of Kneeland street northerly to Beach street, and shall remove its tracks from the present grade crossing on Kneeland street between Lincoln street and Albany street, and, for the purpose of extending its terminal facilities may, from time to time, purchase or otherwise take in fee, the whole or any part of the tract of land bounded and described as follows: Northerly by Kneeland street between the westerly side of Utica street and the easterly side of South street; easterly by the easterly line of South street to Lehigh street; thence across and by the westerly line of South street to the southerly line of Harvard street, so-called; southerly by the south line of Harvard street, so-called, to the westerly line of Utica street; and westerly by said line of Utica street to Kneeland street; and may discontinue and occupy for its purposes all streets and rights of way embraced within said limits, and may also take and discontinue any public or private ways within the tract of land bounded by Kneeland street, Albany street, Broadway, Lehigh street and South street.

SECTION 23. The laws of the Commonwealth relating to the taking of lands for railroad purposes, and the location and construction of railroads, and the assessment of

damages occasioned thereby, shall be applicable to and govern the proceedings in the taking of land hereby authorized to be taken by said terminal company or by any railroad company, except that the locations shall be filed in the registry of deeds, as herein provided, and in case the parties, including mortgagees, cannot agree upon said damages, upon petition of any such party filed within one year after the taking of the land, in the clerk's office of the superior court for Suffolk county, the same shall be assessed by a jury in that court. But if any owner of land taken and all mortgagees thereof shall elect to have the damages assessed by a commission of three disinterested persons appointed by the court, the court shall appoint such commission to assess said damages, and their award, or the award of the major part of them, when made and accepted by the court, shall be final, unless either party shall within sixty days thereafter appeal therefrom, in which case the damages shall be assessed by a jury in that court.

Commission may be appointed to assess damages.

SECTION 24. No owner of any land taken under the provisions of this act shall be required to vacate his premises until three months after a location has been filed, taking the land, and the Boston Gas Light Company shall not be required to vacate the whole or any part of the premises now owned or occupied by it until six months after such filing, or until after such further time, not exceeding fifteen months from the time of such filing and notice, as the board of railroad commissioners and the board of gas and electric light commissioners, who are for this purpose constituted a joint board, may, upon the application of either the railroad company or the gas company, made at any time after the passage of this act, after hearing, prescribe in writing.

When owners of land taken shall be required to vacate premises.

SECTION 25. The terminal company shall pay a franchise tax to the Commonwealth upon the true market value of its capital stock, without any deduction whatever, but its real estate required by this act to be used by said railroad companies shall be assessed to and the taxes thereon shall be paid by said railroad companies, and in the assessment of franchise taxes upon said railroad companies each of them shall be deemed to be the owner of said real estate in the proportion in which it then has the use thereof under this act.

Terminal company to pay a franchise tax to the Commonwealth, etc.

SECTION 26. This act shall take effect upon its passage.

Approved June 9, 1896.

Chap. 517 AN ACT RELATIVE TO THE PUBLIC SERVICE OF THE COMMONWEALTH AND THE CITIES AND TOWNS THEREOF, AND THE EMPLOYMENT OF VETERANS THEREIN.

Be it enacted, etc., as follows:

The word
"veteran"
defined.

SECTION 1. The word "veteran", in this act shall mean a person who served in the army or navy of the United States in the time of the war of the rebellion and was honorably discharged therefrom.

Veterans may
apply for exam-
ination for
positions in the
public service,
etc.

SECTION 2. Veterans may apply for examination for any position in the public service classified under chapter three hundred and twenty of the acts of the year eighteen hundred and eighty-four and acts in amendment thereof, and the civil service rules thereunder, subject to said rules; and if such veterans pass the examination they shall be preferred in appointment to all persons not veterans; and it shall be the duty of the civil service commissioners to cause the names of veterans passing examination to be placed upon the eligible list for the position sought, in the order of the respective standing of such veterans, above the names of all applicants not veterans. The commissioners shall cause to be certified to the appointing officers for appointment the names of all such veterans in preference to applicants not veterans, so long as there are names of veterans upon the eligible list, and the appointment shall be made from the list so certified. But nothing herein contained shall be construed to prevent the certification and employment of women.

Commissioners
to cause vet-
erans to be
certified in
preference to
applicants not
veterans.

Veterans may
apply for
appointment to
positions in the
public service
without exam-
ination, etc.

SECTION 3. Veterans may apply for appointment to or for employment in any position in the public service, classified as aforesaid, without examination. In such application such veteran shall state under oath such facts as may be required by the civil service rules. Age, loss of limb or other physical impairment, which shall not in fact incapacitate, shall not disqualify such veteran from appointment under this section. Appointing officers may by requisition call for the names of any or all such veterans so applying without examination, and appoint or employ any of them in the office or position sought.

List of names of
applicants
passing exam-
ination to be
prepared, etc.

SECTION 4. The civil service commissioners, within five days after the final markings upon any examination of applicants for positions in the public service, shall

cause a list of the names of applicants passing the examination, to be prepared, showing the standing of each obtained in the examination; they shall also within five days after any certification of persons for appointments or employment, cause a list of the names of the persons so certified to be prepared, and said lists shall be open to public inspection during the office hours of the commissioners.

SECTION 5. No veteran holding an office or employment in the public service of any city or town of the Commonwealth shall be removed or suspended, or shall without his consent be transferred from such office or employment, except after a full hearing before the mayor of such city or before the selectmen of such town, and at such hearing the veteran shall have the right to be present and to be represented by counsel. Such removal, suspension or transfer shall be made only upon the written order of the mayor or of the selectmen.

Veterans not to be removed, etc., without a hearing.

SECTION 6. The civil service commissioners shall establish rules to secure the employment of veterans in the labor service of the Commonwealth and of the cities and towns thereof, in the class for which they make application, in preference to all other persons, except women. The civil service commissioners may recognize an age limit in certifying persons for employment in the labor service, provided the appointing officer shall certify in his requisition that the work to be performed is so arduous as to require the services of young and vigorous men, and provided also that the commissioners shall upon investigation become satisfied that such certificate is true. In towns and cities in which the civil service act and the rules of the civil service commissioners have not been applied to the labor service the selectmen of the towns and the city councils of the cities shall take such action as may be necessary to secure the employment of veterans in the labor service of their respective towns and cities, in preference to all other persons, except women. Citizens of Massachusetts who have distinguished themselves by gallant and heroic conduct while serving in the army or navy of the United States, and who have received a medal of honor from the president of the United States, shall be deemed to be veterans under the meaning of this act and shall receive all the benefits thereof.

Commissioners to establish rules to secure employment of veterans, etc.

Certain persons to be deemed veterans.

Penalty.

SECTION 7. Whoever violates any provision of this act shall be punished by a fine of not less than one hundred nor more than one thousand dollars for each offence.

Repeal.

SECTION 8. Chapter four hundred and thirty-seven of the acts of the year eighteen hundred and eighty-seven, chapter four hundred and seventy-three of the acts of the year eighteen hundred and eighty-nine, chapter five hundred and nineteen of the acts of the year eighteen hundred and ninety-four, the words "other qualifications being equal", in the sixth clause of section fourteen of chapter three hundred and twenty of the acts of the year eighteen hundred and eighty-four, and chapter five hundred and one of the acts of the year eighteen hundred and ninety-five, are hereby repealed.

SECTION 9. This act shall take effect upon its passage.

Approved June 9, 1896.

Chap. 518

AN ACT TO PROVIDE FOR MARKING BALLOTS BY A STAMP.

Be it enacted, etc., as follows:

Stamps may be furnished for marking ballots, etc.

SECTION 1. City and town clerks may in their discretion furnish to caucus and election officers, for use at caucuses and elections, as many stamps of suitable device as there are marking shelves or compartments used at each caucus or polling place. The design of the stamps for caucuses shall be the number of the ward, with a cross, thus, X 7, and for elections the number of the ward and precinct, together with a cross, thus, X 7/9. The stamp so provided shall be used by voters in marking their ballots at all caucuses and elections wherein these stamps are used, and ballots not so marked shall not be counted, but ballots marked with the stamp and erased with pencil or other device shall be counted the same as though no erasure had been made. The clerk of a caucus or precinct shall have the custody of the stamps herein provided for, and shall before the caucus or polls open, in the presence of the voters and caucus or precinct officers, as the case may be, cause such stamps to be chained to each marking shelf or compartment; and he shall immediately after the close of a caucus or the polls on election day, and before the ballots are removed from the ballot box, collect said stamps, and in the presence of the voters and caucus or precinct officers place

Custody of stamps, etc.

the same in a box, which shall be locked and sealed, and by him returned forthwith to the city or town clerk. The election commissioners of the city of Boston shall within said city perform the duties herein imposed upon city clerks, and in said city the police officer in attendance at each caucus or voting precinct shall have the custody of the stamps and be charged with the same duties connected therewith as those imposed by this act on the precinct clerks in other cities and towns.

SECTION 2. In all ballots hereafter prepared for use at elections a sufficient space shall be left for the use of the stamps herein provided for. All provisions of law relative to elections which provide for the marking of ballots by a cross mark shall be construed to require the use of a stamp as provided in this act.

Sufficient space to be left in ballots for use of stamp, etc.

SECTION 3. This act shall take effect upon its passage.

Approved June 9, 1896.

AN ACT IN ADDITION TO AN ACT TO DIVIDE THE COMMONWEALTH INTO DISTRICTS FOR THE CHOICE OF REPRESENTATIVES IN THE CONGRESS OF THE UNITED STATES.

Chap. 519

Be it enacted, etc., as follows:

SECTION 1. The cities of Cambridge, Medford and Somerville, and the towns of Arlington and Winchester, in the county of Middlesex, and the wards numbered ten and eleven in the city of Boston, in the county of Suffolk, shall form one district for the choice of a representative in the congress of the United States, to be called Congressional District Number Eight.

Congressional District Number Eight.

SECTION 2. The wards numbered one, two, three, six, seven, eight, nine and thirteen, in the city of Boston, and the town of Winthrop, in the county of Suffolk, shall form one district for the choice of a representative in the congress of the United States, to be called Congressional District Number Nine.

Congressional District Number Nine.

SECTION 3. The wards numbered twelve, fourteen, fifteen, sixteen, seventeen, eighteen, nineteen, twenty and twenty-four, in the city of Boston, in the county of Suffolk, and the city of Quincy and the town of Milton, in the county of Norfolk, shall form one district for the choice of a representative in the congress of the United States, to be called Congressional District Number Ten.

Congressional District Number Ten.

Congressional
District Num-
ber Eleven.

SECTION 4. The wards numbered twenty-one, twenty-two, twenty-three and twenty-five, in the city of Boston, in the county of Suffolk; the city of Newton, and the towns of Belmont, Holliston, Sherborn and Watertown, in the county of Middlesex; the towns of Hopedale and Milford, in the county of Worcester; the towns of Bel-
lingham, Brookline, Dedham, Dover, Foxborough, Frank-
lin, Hyde Park, Medfield, Medway, Millis, Needham,
Norfolk, Norwood, Sharon, Walpole and Wrentham, in
the county of Norfolk; and the town of North Attlebor-
ough, in the county of Bristol, shall form one district
for the choice of a representative in the congress of the
United States, to be called Congressional District Number
Eleven.

Repeal.

SECTION 5. So much of chapter three hundred and
ninety-six of the acts of the year eighteen hundred and
ninety-one as is inconsistent with the provisions of this
act is hereby repealed.

SECTION 6. This act shall take effect upon its passage.

Approved June 9, 1896.

Chap. 520 AN ACT RELATIVE TO THE KEEPING AND SALE OF BURNING FLUID
AND OTHER INFLAMMABLE OILS.

Be it enacted, etc., as follows:

1892, 419, § 111,
amended.

SECTION 1. Section one hundred and eleven of chapter
four hundred and nineteen of the acts of the year eighteen
hundred and ninety-two is hereby amended by striking
out in the third and fourth lines thereof, the words
“turpentine”, and “or any inflammable oil”, and insert-
ing after the word “substance”, in the fourth line, the
words:—except kerosene and other products of petro-
leum,—so as to read as follows:—*Section 111.* No
building of which any part is used for storage or sale of
hay, straw, hemp, flax, shavings, burning fluid, camphene
or other highly combustible substance, except kerosene
and other products of petroleum, shall be occupied in any
part as a dwelling, tenement or lodging house, except that
rooms for coachmen or grooms may be allowed in private
stables authorized by this act, upon special permit from
the inspector.

Buildings used
for storage of
certain com-
bustible sub-
stances not to
be used as
dwellings.

SECTION 2. This act shall take effect upon its passage.

Approved June 9, 1896.

AN ACT TO PROVIDE FOR THE REMOVAL OF PRISONERS FROM THE HOUSE OF CORRECTION IN SUFFOLK COUNTY TO THE BOSTON HOUSE OF INDUSTRY. *Chap.521*

Be it enacted, etc., as follows :

SECTION 1. The institutions commissioner of the city of Boston may remove any prisoner held under sentence in the house of correction in Suffolk county to the Boston house of industry ; and said commissioner may also remove any prisoner held upon a term sentence in said house of industry to said house of correction. Any prisoner removed under this section may be returned by said commissioner to the place of imprisonment from which he was so removed.

Prisoners may be removed from house of correction to house of industry, etc.

SECTION 2. When a prisoner is removed or returned under this act all mittimus, processes and other official papers or attested copies thereof, by which he is held in custody, shall be removed or returned with him ; and such prisoner shall be held in the place of imprisonment to which he is so removed or returned until the expiration of his original sentence, unless sooner discharged.

Certain official papers, etc., to be removed with prisoners, etc.

SECTION 3. Any order for the removal or return of a prisoner under this act may be executed by an officer of either of the prisons named herein.

Execution of orders for removal, etc.

SECTION 4. This act shall take effect upon its passage.

Approved June 9, 1896.

AN ACT RELATIVE TO OFFICE HOURS IN THE DEPARTMENT OF THE TREASURER AND RECEIVER GENERAL. *Chap.522*

Be it enacted, etc., as follows :

SECTION 1. The treasurer and receiver general shall not be required to keep his office open for the receipt or payment of money on Saturdays later than twelve o'clock noon.

Office hours in department of treasurer and receiver general.

SECTION 2. This act shall take effect upon its passage.

Approved June 9, 1896.

AN ACT RELATIVE TO THE PAYMENT OF CERTAIN FEES IN THE OFFICE OF THE SECRETARY OF THE COMMONWEALTH. *Chap.523*

Be it enacted, etc., as follows :

SECTION 1. The fee to be paid by corporations for filing and recording in the office of the secretary of the Commonwealth any certificate, the payment of a fee for

Fee for filing and recording certain certificates.

which is not already expressly provided for by law, shall be one dollar. This provision shall apply also to the filing and recording of certificates of limited partnership, under the provisions of chapter seventy-five of the Public Statutes, and to the certificate of change of name of corporations required to be issued under the provisions of section three of chapter three hundred and sixty of the acts of the year eighteen hundred and ninety-one.

P. S. 106, § 84,
amended.

SECTION 2. The second clause of section eighty-four of chapter one hundred and six of the Public Statutes is hereby amended by adding after the word “dollars”, in the sixth line, the following words:—*provided*, that a corporation which has paid two hundred dollars in the manner herein set forth shall pay a fee of one dollar for each certificate thereafter filed and recorded under the provisions of said section fifty-six, — so as to read as follows: — For filing and recording the certificate required by section fifty-six, one twentieth of one per cent. of the amount by which the capital is increased; but the amount so to be paid shall not, when added to the amount previously paid for filing and recording certificates under sections twenty-one, twenty-two, and fifty-six, exceed in any case two hundred dollars: *provided*, that a corporation which has paid two hundred dollars in the manner herein set forth shall pay a fee of one dollar for each certificate thereafter filed and recorded under the provisions of said section fifty-six.

Fees for filing
and recording
certificate of
organization.

Proviso.

SECTION 3. This act shall take effect upon its passage.

Approved June 9, 1896.

Chap. 524 AN ACT TO AUTHORIZE THE CENTRAL CEMETERY ASSOCIATION OF RANDOLPH TO TAKE AND HOLD ADDITIONAL REAL ESTATE.

Be it enacted, etc., as follows:

Central Cemetery Association may make application for the taking of certain lands for enlargement of cemetery, etc.

SECTION 1. The directors of the Central Cemetery Association of Randolph may, upon direction of said association, make application by written petition to the selectmen of the town of Randolph for the enlargement of Central Cemetery, so-called, in said Randolph, and the taking therefor of lands belonging, or reputed to belong, to George Perry Niles and others, or to whomsoever belonging or reputed to belong, in all not exceeding twenty acres in extent, lying northeasterly and northerly of and in part adjoining said cemetery, in part separated therefrom by the location of the Old Colony Railroad Company,

together with all rights of way and other easements, if any, to which said lands are subject.

SECTION 2. The selectmen shall appoint a time and place for a hearing, and shall cause notice thereof, together with a copy of the petition, to be served personally upon the owner or owners, if known and residing within the Commonwealth, or to be left at the last and usual place of abode of such owner or owners fourteen days at least before the time appointed for the hearing, and by publishing a notice of said hearing once a week for three successive weeks in one or more newspapers published in said Randolph, the last publication to be not less than five days before said hearing.

Selectmen to appoint time and place for hearing, give notice, etc.

SECTION 3. The selectmen shall hear the parties at the time and place appointed, or at an adjournment thereof, and as soon as may be thereafter shall consider and adjudicate upon the necessity of such taking, and upon the quantity, boundaries, damages and value of any land, rights of way or other easements adjudged necessary to be taken, and shall forthwith file a description of such land, with a plan thereof, in the registry of deeds for the county of Norfolk, and thereupon such land shall be taken and held in fee, free from all such rights of way or other easements, if any, by said association, as a part of its burial ground.

Selectmen to give hearing, consider boundaries, damages, etc.

Description of land, etc., to be filed.

SECTION 4. Any party aggrieved by the doings of the selectmen in the estimation of his damages, or as to the sum awarded him as indemnity therefor, may, on application therefor to the superior court or to the county commissioners of the county of Norfolk, within six months after the filing in the registry of deeds of the description and plan specified in section three of this act, have a jury to determine the matter of his complaint, as in the case of the assessment of damages occasioned by laying out, locating anew, altering or discontinuing a highway, and all subsequent proceedings shall be conducted as in said case. If the sum allowed for damages, including the value of the land, is increased by the jury, the sum so allowed by the jury and all costs shall be paid by said association; otherwise the costs arising upon such application for a jury shall be paid by the applicant.

Persons aggrieved may have a jury to determine damages, etc.

SECTION 5. Said cemetery association shall lay out said land so taken, into lots, and shall sell and convey to such person or persons as may apply therefor, whether residents of said town of Randolph or otherwise, without dis-

Association to lay out land taken into lots, etc.

crimination, the exclusive right of burial and of erecting tombs and cenotaphs and of ornamenting the same, upon such reasonable terms, conditions and regulations as said association may prescribe.

SECTION 6. This act shall take effect upon its passage.

Approved June 9, 1896.

Chap.525 AN ACT TO AUTHORIZE THE TOWN OF EDGARTOWN TO BORROW AND EXPEND MONEY FOR THE PURPOSE OF PROVIDING ADDITIONS AND IMPROVEMENTS TO THE COUNTY COURT HOUSE IN SAID TOWN.

Be it enacted, etc., as follows:

Town of Edgartown may incur indebtedness for improvements to county court house.

SECTION 1. The town of Edgartown, in order to meet the expense of certain improvements and additions to the county court house of the county of Dukes County, situated in said town, may, by majority vote at a town meeting legally called and held within ninety days from the passage of this act, grant or vote or incur indebtedness to an amount not exceeding six thousand dollars, and pay into the treasury of the county such amount as may be voted to be expended in making such improvements and additions to said court house as may be ordered by the county commissioners of said county or as may be ordered by the supreme judicial court; but the plans and specifications for said additions and improvements, if ordered by the county commissioners, shall be subject to the approval of the selectmen of said town.

SECTION 2. This act shall take effect upon its passage.

Approved June 9, 1896.

Chap.526 AN ACT TO INCREASE THE NUMBER OF ASSOCIATE JUSTICES OF THE SUPERIOR COURT.

Be it enacted, etc., as follows:

Number of associate justices of superior court increased.

To take effect September 1, 1896.

SECTION 1. The number of associate justices of the superior court shall be seventeen instead of fifteen as now provided by law.

SECTION 2. This act shall take effect upon the first day of September in the year eighteen hundred and ninety-six.

Approved June 9, 1896.

Chap.527 AN ACT RELATIVE TO VOTING LISTS IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

Preparation of voting lists in city of Boston.

SECTION 1. The voting lists to be used at caucuses in the city of Boston held after the passage of this act and

prior to the date of the annual state election in the year eighteen hundred and ninety-six, shall be prepared from the annual register of the year eighteen hundred and ninety-five, with such lawful alterations, corrections and additions as may be made therein prior to the time when such voting lists are to be used. The voting lists to be used in said city at the annual state election in the year eighteen hundred and ninety-six, and at subsequent elections and caucuses, shall be prepared from the new registers made in accordance with the acts requiring a new registration of voters to be made in said year.

SECTION 2. This act shall take effect upon its passage.

Approved June 9, 1896.

AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF THE COUNTY OF BARNSTABLE TO BORROW MONEY FOR SEWERAGE PURPOSES.

Chap. 528

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of the county of Barnstable are hereby authorized to borrow on the credit of said county a sum of money not exceeding three thousand dollars, and may expend said sum in the construction of sewers and drains connected with the public buildings of said county.

May borrow money for sewerage purposes.

SECTION 2. This act shall take effect upon its passage.

Approved June 9, 1896.

AN ACT TO APPORTION AND ASSESS A STATE TAX OF ONE MILLION SEVEN HUNDRED AND FIFTY THOUSAND DOLLARS.

Chap. 529

Be it enacted, etc., as follows:

SECTION 1. Each city and town in this Commonwealth shall be assessed and pay the several sums with which they stand respectively charged in the following schedule, that is to say: —

State tax apportioned and assessed.

Abington, seventeen hundred and fifty dollars.

Action, ten hundred and fifty dollars.

Acushnet, four hundred thirty-seven dollars and fifty cents.

Adams, twenty-six hundred and ninety-five dollars.

Agawam, nine hundred and forty-five dollars.

Alford, one hundred fifty-seven dollars and fifty cents.

Amesbury, thirty-six hundred fifty-seven dollars and fifty cents.

Amherst, twenty-two hundred twenty-two dollars and fifty cents.

Andover, thirty-four hundred and thirty dollars.

State tax apportioned and assessed.

Arlington, fifty-six hundred and thirty-five dollars.
 Ashburnham, seven hundred fifty-two dollars and fifty cents.
 Ashby, three hundred sixty-seven dollars and fifty cents.
 Ashfield, three hundred sixty-seven dollars and fifty cents.
 Ashland, eight hundred fifty-seven dollars and fifty cents.
 Athol, twenty-six hundred forty-two dollars and fifty cents.
 Attleborough, thirty-two hundred and twenty dollars.
 Auburn, four hundred two dollars and fifty cents.
 Avon, five hundred forty-two dollars and fifty cents.
 Ayer, nine hundred sixty-two dollars and fifty cents.
 Barnstable, twenty-six hundred and ninety-five dollars.
 Barre, ten hundred thirty-two dollars and fifty cents.
 Becket, three hundred thirty-two dollars and fifty cents.
 Bedford, six hundred eighty-two dollars and fifty cents.
 Belchertown, six hundred and thirty dollars.
 Bellingham, four hundred and ninety dollars.
 Belmont, twenty-six hundred forty-two dollars and fifty cents.
 Berkley, three hundred and fifteen dollars.
 Berlin, three hundred and fifty dollars.
 Bernardston, two hundred ninety-seven dollars and fifty cents.
 Beverly, ten thousand one hundred thirty-two dollars and fifty cents.
 Billerica, thirteen hundred eighty-two dollars and fifty cents.
 Blackstone, eighteen hundred and ninety dollars.
 Blandford, three hundred and fifteen dollars.
 Bolton, three hundred thirty-two dollars and fifty cents.
 Boston, six hundred twenty-eight thousand seven hundred and forty dollars.
 Bourne, eleven hundred seventy-two dollars and fifty cents.
 Boxborough, one hundred fifty-seven dollars and fifty cents.
 Boxford, four hundred thirty-seven dollars and fifty cents.
 Boylston, three hundred and fifty dollars.
 Bradford, nineteen hundred and twenty-five dollars.
 Braintree, thirty-one hundred and fifteen dollars.
 Brewster, four hundred thirty-seven dollars and fifty cents.
 Bridgewater, seventeen hundred sixty-seven dollars and fifty cents.
 Brimfield, two hundred ninety-seven dollars and fifty cents.
 Brockton, fifteen thousand and eighty-five dollars.
 Brookfield, ten hundred and fifty dollars.
 Brookline, forty-one thousand six hundred thirty-two dollars and fifty cents.
 Buckland, four hundred and twenty dollars.
 Burlington, three hundred and fifty dollars.
 Cambridge, fifty-four thousand six hundred dollars.
 Canton, three thousand twenty-seven dollars and fifty cents.
 Carlisle, two hundred and forty-five dollars.
 Carver, five hundred seventy-seven dollars and fifty cents.

State tax appor-
tioned and
assessed.

Charlemont, two hundred and eighty dollars.
 Charlton, six hundred eighty-two dollars and fifty cents.
 Chatham, six hundred and sixty-five dollars.
 Chelmsford, fourteen hundred fifty-two dollars and fifty cents.
 Chelsea, fifteen thousand eight hundred two dollars and fifty cents.
 Cheshire, five hundred and twenty-five dollars.
 Chester, four hundred and fifty-five dollars.
 Chesterfield, two hundred and ten dollars.
 Chicopee, fifty-eight hundred and ten dollars.
 Chilmark, one hundred fifty-seven dollars and fifty cents.
 Clarksburg, one hundred and seventy-five dollars.
 Clinton, forty-eight hundred and sixty-five dollars.
 Cohasset, thirty-three hundred and sixty dollars.
 Colrain, four hundred and twenty dollars.
 Concord, twenty-nine hundred and forty dollars.
 Conway, five hundred seven dollars and fifty cents.
 Cottage City, nine hundred and eighty dollars.
 Cunningham, two hundred twenty-seven dollars and fifty cents.
 Dalton, two thousand forty-seven dollars and fifty cents.
 Dana, two hundred and ten dollars.
 Danvers, thirty-one hundred and fifty dollars.
 Dartmouth, eighteen hundred and ninety dollars.
 Dedham, forty-six hundred two dollars and fifty cents.
 Deerfield, eleven hundred and fifty-five dollars.
 Dennis, eleven hundred seventy-two dollars and fifty cents.
 Dighton, five hundred and ninety-five dollars.
 Douglas, seven hundred and thirty-five dollars.
 Dover, six hundred eighty-two dollars and fifty cents.
 Dracut, eleven hundred seventy-two dollars and fifty cents.
 Dudley, seven hundred eighty-seven dollars and fifty cents.
 Dunstable, two hundred and ten dollars.
 Duxbury, eleven hundred two dollars and fifty cents.
 East Bridgewater, eleven hundred and fifty-five dollars.
 East Longmeadow, four hundred and ninety dollars.
 Eastham, two hundred and ten dollars.
 Easthampton, seventeen hundred and fifty dollars.
 Easton, thirty-five hundred fifty-two dollars and fifty cents.
 Edgartown, five hundred and twenty-five dollars.
 Egremont, three hundred thirty-two dollars and fifty cents.
 Enfield, five hundred and sixty dollars.
 Erving, two hundred and eighty dollars.
 Essex, seven hundred dollars.
 Everett, eighty-six hundred and ten dollars.
 Fairhaven, thirteen hundred eighty-two dollars and fifty cents.
 Fall River, forty-three thousand five hundred and forty dollars.
 Falmouth, forty-two hundred eighty-seven dollars and fifty cents.

State tax apportioned and assessed.

Fitchburg, thirteen thousand eight hundred and sixty dollars.
 Florida, one hundred twenty-two dollars and fifty cents.
 Foxborough, eleven hundred and ninety dollars.
 Framingham, sixty-five hundred twenty-seven dollars and fifty cents.
 Franklin, twenty-one hundred dollars.
 Freetown, six hundred and thirty dollars.
 Gardner, thirty-five hundred fifty-two dollars and fifty cents.
 Gay Head, seventeen dollars and fifty cents.
 Georgetown, seven hundred fifty-two dollars and fifty cents.
 Gill, three hundred thirty-two dollars and fifty cents.
 Gloucester, eleven thousand three hundred and seventy-five dollars.
 Goshen, one hundred and five dollars.
 Gosnold, one hundred and forty dollars.
 Grafton, seventeen hundred thirty-two dollars and fifty cents.
 Granby, three hundred thirty-two dollars and fifty cents.
 Granville, two hundred sixty-two dollars and fifty cents.
 Great Barrington, twenty-five hundred seventy-two dollars and fifty cents.
 Greenfield, thirty-seven hundred twenty-seven dollars and fifty cents.
 Greenwich, one hundred ninety-two dollars and fifty cents.
 Groton, two thousand forty-seven dollars and fifty cents.
 Groveland, seven hundred dollars.
 Hadley, seven hundred and thirty-five dollars.
 Halifax, one hundred ninety-two dollars and fifty cents.
 Hamilton, seven hundred fifty-two dollars and fifty cents.
 Hampden, two hundred and eighty dollars.
 Hancock, two hundred and forty-five dollars.
 Hanover, ten hundred and fifteen dollars.
 Hanson, four hundred and fifty-five dollars.
 Hardwick, ten hundred and eighty-five dollars.
 Harvard, seven hundred seventeen dollars and fifty cents.
 Harwich, eight hundred and seventy-five dollars.
 Hatfield, seven hundred and thirty-five dollars.
 Haverhill, fourteen thousand seven hundred and thirty-five dollars.
 Hawley, one hundred twenty-two dollars and fifty cents.
 Heath, one hundred and forty dollars.
 Hingham, thirty-one hundred sixty-seven dollars and fifty cents.
 Hinsdale, five hundred forty-two dollars and fifty cents.
 Holbrook, nine hundred and forty-five dollars.
 Holden, eight hundred and forty dollars.
 Holland, seventy dollars.
 Holliston, twelve hundred seven dollars and fifty cents.
 Holyoke, nineteen thousand and forty dollars.
 Hopedale, eighteen hundred and twenty dollars.

State tax apportioned and assessed.

Iopkinton, fourteen hundred and seventy dollars.
 Hubbardston, four hundred and ninety dollars.
 Hudson, two thousand eighty-two dollars and fifty cents.
 Hull, eighteen hundred and twenty dollars.
 Huntington, three hundred and eighty-five dollars.
 Hyde Park, fifty-nine hundred thirty-two dollars and fifty cents.
 Ipswich, two thousand and sixty-five dollars.
 Kingston, eleven hundred seventy-two dollars and fifty cents.
 Lakeville, four hundred two dollars and fifty cents.
 Lancaster, two thousand eighty-two dollars and fifty cents.
 Lanesborough, three hundred sixty-seven dollars and fifty cents.
 Lawrence, twenty-three thousand two hundred and forty dollars.
 Lee, twelve hundred and ninety-five dollars.
 Leicester, sixteen hundred and forty-five dollars.
 Lenox, two thousand eighty-two dollars and fifty cents.
 Leominster, thirty-nine hundred and ninety dollars.
 Leverett, two hundred and ten dollars.
 Lexington, twenty-eight hundred fifty-two dollars and fifty cents.
 Leyden, one hundred twenty-two dollars and fifty cents.
 Lincoln, sixteen hundred and ten dollars.
 Littleton, six hundred twelve dollars and fifty cents.
 Longmeadow, four hundred thirty-seven dollars and fifty cents.
 Lowell, forty-nine thousand dollars.
 Ludlow, seven hundred fifty-two dollars and fifty cents.
 Lunenburg, five hundred and sixty dollars.
 Lynn, thirty-four thousand six hundred sixty-seven dollars and fifty cents.
 Lynnfield, four hundred and twenty dollars.
 Malden, seventeen thousand three hundred seven dollars and fifty cents.
 Manchester, forty-nine hundred and seventy dollars.
 Mansfield, twelve hundred seventy-seven dollars and fifty cents.
 Marblehead, four thousand forty-two dollars and fifty cents.
 Marion, five hundred seventy-seven dollars and fifty cents.
 Marlborough, fifty-seven hundred ninety-two dollars and fifty cents.
 Marshfield, nine hundred and forty-five dollars.
 Mashpee, one hundred twenty-two dollars and fifty cents.
 Mattapoisett, ten hundred and fifty dollars.
 Maynard, fourteen hundred and seventy dollars.
 Medfield, nine hundred ninety-seven dollars and fifty cents.
 Medford, ten thousand nine hundred two dollars and fifty cents.
 Medway, nine hundred twenty-seven dollars and fifty cents.
 Melrose, sixty-eight hundred seventy-seven dollars and fifty cents.
 Mendon, three hundred and eighty-five dollars.
 Merrimac, nine hundred and forty-five dollars.

State tax apportioned and assessed.

Methuen, twenty-four hundred sixty-seven dollars and fifty cents.

Middleborough, twenty-nine hundred and seventy-five dollars.

Middlefield, one hundred and seventy-five dollars.

Middleton, three hundred sixty-seven dollars and fifty cents.

Milford, thirty-eight hundred sixty-seven dollars and fifty cents.

Millbury, sixteen hundred and eighty dollars.

Millis, five hundred and ninety-five dollars.

Milton, thirteen thousand seven hundred thirty-seven dollars and fifty cents.

Monroe, one hundred and five dollars.

Monson, fourteen hundred dollars.

Montague, twenty-five hundred and fifty-five dollars.

Monterey, one hundred and seventy-five dollars.

Montgomery, one hundred and five dollars.

Mount Washington, fifty-two dollars and fifty cents.

Nahant, four thousand forty-two dollars and fifty cents.

Nantucket, twenty-one hundred seventeen dollars and fifty cents.

Natick, thirty-nine hundred and ninety dollars.

Needham, nineteen hundred seventy-seven dollars and fifty cents.

New Ashford, fifty-two dollars and fifty cents.

New Bedford, thirty-six thousand sixty-seven dollars and fifty cents.

New Braintree, two hundred ninety-seven dollars and fifty cents.

New Marlborough, four hundred two dollars and fifty cents.

New Salem, two hundred twenty-seven dollars and fifty cents.

Newbury, seven hundred fifty-two dollars and fifty cents.

Newburyport, seventy-eight hundred fifty-seven dollars and fifty cents.

Newton, thirty-two thousand seventy-seven dollars and fifty cents.

Norfolk, three hundred sixty-seven dollars and fifty cents.

North Adams, fifty-four hundred seventy-seven dollars and fifty cents.

North Andover, twenty-three hundred sixty-two dollars and fifty cents.

North Attleborough, twenty-eight hundred dollars.

North Brookfield, fourteen hundred dollars.

North Reading, three hundred sixty-seven dollars and fifty cents.

Northampton, seventy-three hundred and fifteen dollars.

Northborough, eight hundred ninety-two dollars and fifty cents.

Northbridge, twenty-five hundred thirty-seven dollars and fifty cents.

Northfield, six hundred eighty-two dollars and fifty cents.

Norton, five hundred seventy-seven dollars and fifty cents.

Forwell, seven hundred and seventy dollars.
 Forwood, twenty-one hundred fifty-two dollars and fifty cents.
 Gakham, two hundred and forty-five dollars.
 Grange, twenty-eight hundred seventeen dollars and fifty cents.
 Orleans, four hundred and ninety dollars.
 Otis, one hundred fifty-seven dollars and fifty cents.
 Oxford, nine hundred twenty-seven dollars and fifty cents.
 Palmer, two thousand and thirty dollars.
 Paxton, one hundred ninety-two dollars and fifty cents.
 Peabody, fifty-four hundred seventy-seven dollars and fifty cents.
 Pelham, one hundred twenty-two dollars and fifty cents.
 Pembroke, four hundred seventy-two dollars and fifty cents.
 Pepperell, fourteen hundred and thirty-five dollars.
 Peru, eighty-seven dollars and fifty cents.
 Petersham, four hundred and fifty-five dollars.
 Phillipston, two hundred and ten dollars.
 Pittsfield, ninety-four hundred and fifteen dollars.
 Plainfield, one hundred twenty-two dollars and fifty cents.
 Plymouth, forty-six hundred and twenty dollars.
 Plympton, two hundred twenty-seven dollars and fifty cents.
 Prescott, one hundred twenty-two dollars and fifty cents.
 Princeton, five hundred seventy-seven dollars and fifty cents.
 Provincetown, fifteen hundred ninety-two dollars and fifty cents.
 Quincy, eleven thousand seven hundred seventy-seven dollars and fifty cents.
 Randolph, sixteen hundred and forty-five dollars.
 Raynham, six hundred and thirty dollars.
 Reading, twenty-four hundred and fifty dollars.
 Rehoboth, five hundred and twenty-five dollars.
 Revere, forty-five hundred and eighty-five dollars.
 Richmond, two hundred and forty-five dollars.
 Rochester, three hundred and eighty-five dollars.
 Rockland, twenty-one hundred and seventy dollars.
 Rockport, eighteen hundred and forty-five dollars.
 Rowe, one hundred and seventy-five dollars.
 Rowley, four hundred and ninety dollars.
 Royalston, four hundred thirty-seven dollars and fifty cents.
 Russell, three hundred and fifty dollars.
 Rutland, three hundred sixty-seven dollars and fifty cents.
 Salem, twenty thousand four hundred and seventy-five dollars.
 Salisbury, four hundred and sixty-five dollars.
 Sandisfield, two hundred and forty-five dollars.
 Sandwich, six hundred eighty-two dollars and fifty cents.
 Saugus, two thousand and sixty-five dollars.
 Savoy, one hundred twenty-two dollars and fifty cents.
 Scituate, fourteen hundred and thirty-five dollars.
 Seekonk, six hundred twelve dollars and fifty cents.

State tax apportioned and assessed.

State tax apportioned and assessed.

Sharon, eleven hundred thirty-seven dollars and fifty cents.
 Sheffield, six hundred and thirty dollars.
 Shelburne, six hundred forty-seven dollars and fifty cents.
 Sherborn, five hundred seventy-seven dollars and fifty cents.
 Shirley, five hundred and twenty-five dollars.
 Shrewsbury, seven hundred dollars.
 Shutesbury, one hundred twenty-two dollars and fifty cents.
 Somerset, seven hundred fifty-two dollars and fifty cents.
 Somerville, thirty thousand two hundred and five dollars.
 South Hadley, sixteen hundred and forty-five dollars.
 Southampton, three hundred and fifty dollars.
 Southborough, eleven hundred thirty-seven dollars and fifty cents.
 Southbridge, twenty-eight hundred fifty-two dollars and fifty cents.
 Southwick, three hundred and eighty-five dollars.
 Spencer, twenty-nine hundred twenty-two dollars and fifty cents.
 Springfield, forty-one thousand seventy-two dollars and fifty cents.
 Sterling, six hundred twelve dollars and fifty cents.
 Stockbridge, twenty-one hundred and seventy dollars.
 Stoneham, twenty-eight hundred and thirty-five dollars.
 Stoughton, twenty-one hundred seventeen dollars and fifty cents.
 Stow, four hundred and fifty-five dollars.
 Sturbridge, six hundred eighty-two dollars and fifty cents.
 Sudbury, eight hundred twenty-two dollars and fifty cents.
 Sunderland, two hundred ninety-seven dollars and fifty cents.
 Sutton, nine hundred and forty-five dollars.
 Swampscott, thirty-nine hundred and fifty-five dollars.
 Swanzey, six hundred twelve dollars and fifty cents.
 Taunton, thirteen thousand nine hundred and sixty-five dollars.
 Templeton, nine hundred and eighty dollars.
 Tewksbury, ten hundred and fifty dollars.
 Tisbury, five hundred seventy-seven dollars and fifty cents.
 Tolland, one hundred and five dollars.
 Topsfield, six hundred twelve dollars and fifty cents.
 Townsend, eight hundred and forty dollars.
 Truro, two hundred sixty-two dollars and fifty cents.
 Tyngsborough, two hundred and eighty dollars.
 Tyringham, one hundred fifty-seven dollars and fifty cents.
 Upton, seven hundred and thirty-five dollars.
 Uxbridge, fifteen hundred ninety-two dollars and fifty cents.
 Wakefield, four thousand and ninety-five dollars.
 Wales, two hundred and ten dollars.
 Walpole, fourteen hundred fifty-two dollars and fifty cents.
 Waltham, thirteen thousand and fifty-five dollars.
 Ware, three thousand ninety-seven dollars and fifty cents.
 Wareham, fourteen hundred and seventy dollars.

State tax apportioned and assessed.

Warren, nineteen hundred and sixty dollars.
Warwick, two hundred twenty-seven dollars and fifty cents.
Washington, one hundred and forty dollars.
Watertown, fifty-seven hundred and five dollars.
Wayland, eleven hundred two dollars and fifty cents.
Webster, twenty-six hundred and ninety-five dollars.
Wellesley, forty-six hundred and fifty-five dollars.
Wellfleet, five hundred forty-two dollars and fifty cents.
Wendell, one hundred and seventy-five dollars.
Wenham, four hundred seventy-two dollars and fifty cents.
West Boylston, nine hundred sixty-two dollars and fifty cents.
West Bridgewater, seven hundred dollars.
West Brookfield, five hundred and ninety-five dollars.
West Newbury, seven hundred dollars.
West Springfield, twenty-eight hundred eighty-seven dollars and fifty cents.
West Stockbridge, four hundred two dollars and fifty cents.
West Tisbury, two hundred and eighty dollars.
Westborough, nineteen hundred and sixty dollars.
Westfield, fifty-five hundred forty-seven dollars and fifty cents.
Westford, nine hundred sixty-two dollars and fifty cents.
Westhampton, one hundred and seventy-five dollars.
Westminster, five hundred forty-two dollars and fifty cents.
Weston, twenty-five hundred two dollars and fifty cents.
Westport, eleven hundred two dollars and fifty cents.
Weymouth, forty-seven hundred seventy-seven dollars and fifty cents.
Whately, three hundred thirty-two dollars and fifty cents.
Whitman, twenty-five hundred and fifty-five dollars.
Wilbraham, five hundred and ninety-five dollars.
Williamsburg, six hundred and sixty-five dollars.
Williamstown, seventeen hundred sixty-seven dollars and fifty cents.
Wilmington, six hundred and thirty dollars.
Winchendon, sixteen hundred and forty-five dollars.
Winchester, forty-five hundred thirty-two dollars and fifty cents.
Windsor, one hundred and forty dollars.
Winthrop, three thousand and forty-five dollars.
Woburn, sixty-seven hundred and ninety dollars.
Worcester, sixty-three thousand five hundred seven dollars and fifty cents.
Worthington, two hundred twenty-seven dollars and fifty cents.
Wrentham, ten hundred sixty-seven dollars and fifty cents.
Yarmouth, fourteen hundred and seventy dollars.

SECTION 2. The treasurer of the Commonwealth shall forthwith send his warrant, directed to the selectmen or assessors of each city or town taxed as aforesaid, requir-

Treasurer to issue warrant.

ing them respectively to assess the sum so charged, according to the provisions of chapter eleven of the Public Statutes, and to add the amount of such tax to the amount of town and county taxes to be assessed by them respectively on each city and town.

Payment of
assessments.

SECTION 3. The treasurer of the Commonwealth in his warrant shall require the said selectmen or assessors to pay, or issue severally their warrant or warrants requiring the treasurers of their several cities or towns to pay, to the treasurer of the Commonwealth, on or before the tenth day of December in the year eighteen hundred and ninety-six, the sums set against said cities and towns in the schedule aforesaid; and the selectmen or assessors respectively shall return a certificate of the names of the treasurers of their several cities and towns, with the sum which each may be required to collect, to the treasurer of the Commonwealth at some time before the first day of October in the year eighteen hundred and ninety-six.

Notice to
treasurers of
delinquent cities
and towns, etc.

SECTION 4. If the amount due from any city or town, as provided in this act, is not paid to the treasurer of the Commonwealth within the time specified, then the said treasurer shall notify the treasurer of such delinquent city or town, who shall pay into the treasury of the Commonwealth, in addition to the tax, such further sum as would be equal to one per centum per month during such delinquency from and after the tenth day of December in the year eighteen hundred and ninety-six; and if the same remains unpaid after the first day of January in the year eighteen hundred and ninety-seven, an information may be filed by the treasurer of the Commonwealth in the supreme judicial court, or before any justice thereof, against such delinquent city or town; and upon notice to such city or town, and a summary hearing thereon, a warrant of distress may issue against such city or town to enforce the payment of said taxes under such penalties as said court or the justice thereof before whom the hearing is had shall order.

SECTION 5. This act shall take effect upon its passage.

Approved June 9, 1896.

Chap. 530

AN ACT RELATIVE TO STONY BROOK IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

City of Boston
may alter the
course of Stony
brook.

SECTION 1. The city of Boston may alter the course of and make a new channel, covered or uncovered, for

Stony brook in the city of Boston, from a point at or near the Tremont street crossing of the Boston and Providence railroad to a point at or near Boylston station on said railroad.

SECTION 2. The board of street commissioners, with Lands, etc., may be taken. the approval of the mayor, may take by purchase or otherwise, in fee, for said city, for the purpose aforesaid, any lands in said city which they may deem necessary therefor, and may take any rights or easements in said brook or in any lands which they may deem necessary; and, to make any such taking otherwise than by purchase, Description of lands, etc., to be recorded. shall cause to be recorded in the registry of deeds for the county of Suffolk a description of the lands, rights or easements so taken, as certain as is required in a common conveyance of land, with a statement signed by them that such lands, rights or easements were taken for the purposes of this act; and upon the recording of such description the lands, rights or easements described therein shall be taken for said city.

SECTION 3. Said city shall pay all Damages. damages sustained by any person in his property by the taking of any lands, rights or easements under the authority of this act, and if any person sustaining such damage fails to agree with said city as to the amount of damages sustained such damage shall be assessed and determined in the superior court for the county of Suffolk, on the written application of either party therefor, filed with the clerk of said court within one year from the date of such taking, but no such application shall be made after the expiration of said one year; and upon such application, after such notice as said court shall order, the damages shall be determined by a jury in said court in the same manner as damages for land taken for highways in said city are determined, and costs shall be taxed and execution issued as in civil cases.

SECTION 4. For the purpose of defraying all the costs and expenses of the lands, rights and easements taken, purchased or held for the purposes mentioned in this act, and of constructing all channels and works necessary and proper for the accomplishment of the said purposes, and for paying all expenses incident thereto, the treasurer of said city shall issue from time to time, at the request of the mayor, negotiable notes, scrip or certificates of debt, to be denominated on the face thereof, Stony Brook Improvement Scrip. Stony Brook Improvement Scrip, to an amount not exceeding in the

Sinking fund.

whole the sum of five hundred thousand dollars, which shall not be included in determining the limit of indebtedness of said city. Said notes, bonds or scrip shall be registered or with interest coupons attached, as said treasurer shall determine; shall bear such rate of interest, not exceeding four per cent. per annum, payable semi-annually on such days, and shall be issued and disposed of in such amounts, in such modes and at such times and prices, as the treasurer with the approval of the mayor shall from time to time determine. The sinking funds commissioners of said city shall upon the issuing of any of said bonds establish a sinking fund and determine the amounts to be paid thereto each year, which fund shall be sufficient with its accumulations to extinguish the debt at maturity; and the treasurer of said city shall pay to said commissioners any premiums received by the city in the negotiation or sale of any of said bonds.

Estate of the
Boston Belting
Company not to
be interfered
with, etc.

SECTION 5. This act shall not be construed to authorize said city to take the estate owned by the Boston Belting Company, northerly of said crossing, nor to interfere with, or take, or stop the flow of the water of said brook without furnishing free of expense to said belting company a sufficient supply of water so long as its supply from said brook is cut off while the work herein authorized is being done.

When to take
effect.

SECTION 6. This act shall take effect when accepted by the city council of the city of Boston.

Approved June 9, 1896.

Chap. 531 AN ACT TO PROVIDE FOR THE SECURITY AND PRESERVATION OF
THE SO-CALLED BULFINCH PORTION OF THE STATE HOUSE.

Be it enacted, etc., as follows:

Preservation of
the Bulfinch
portion of the
state house.

SECTION 1. His Honor, Roger Wolcott, acting governor of the Commonwealth, George P. Lawrence, president of the senate, and George v. L. Meyer, speaker of the house of representatives, shall, as a committee serving without pay, consider and decide upon a plan for preserving, restoring and rendering practically fireproof the so-called Bulfinch state house, substantially in accordance with the report and specifications of the commission appointed by Governor Greenhalge for the preservation of the Bulfinch state house, made to the legislature on the thirteenth day of April in the year eighteen hundred and

ninety-five. Any vacancies occurring in said committee shall be filled by the governor, or by the acting governor, with the advice and consent of the council.

SECTION 2. For the purpose stated in section one of this act said committee is hereby authorized and directed to employ an architect to make and submit for its approval drawings and specifications. Said architect shall superintend the execution of the work in accordance with such drawings and specifications as shall be approved by said committee, and in accordance with such changes therein as may thereafter be approved in writing by said committee. The drawings and specifications approved by said committee, and any changes made therein from time to time, with the written approval of the committee, shall be delivered to the state house construction commissioners.

Drawings and specifications to be made, etc.

SECTION 3. Said state house construction commissioners are hereby authorized and directed, upon receipt of said drawings and specifications, to proceed to restore and to preserve the said state house, in accordance with said drawings and specifications and under the superintendence of said architect, and to make in behalf of the Commonwealth all contracts and to employ all labor which shall be necessary for that purpose, but the expense incurred by said commissioners under the provisions of this act, including the architect's commission, which shall be paid by them, shall not exceed three hundred and seventy-five thousand dollars.

State house construction commissioners to have charge of the work.

SECTION 4. To meet the expenses provided for by this act the treasurer and receiver general is hereby authorized, with the approval of the governor and council, to issue scrip or certificates of indebtedness to an amount not exceeding three hundred and seventy-five thousand dollars, for a term not exceeding twenty years, the same to be in addition to any amount previously authorized. Said scrip or certificates of indebtedness shall be issued as registered bonds or with interest coupons attached, and shall bear interest not exceeding four per cent. per annum, payable semi-annually on the first days of April and October in each year, shall be redeemable at maturity in the gold coin of the United States or its equivalent, shall be designated on the face thereof, State House Construction Loan, shall be countersigned by the governor, and shall be deemed a pledge of the faith and credit of the Commonwealth; and said scrip or certificates of indebtedness shall be sold in such

State House Construction Loan.

Sinking fund.

instalments as the governor and council may determine, by public advertisement, to the highest bidder, at not less than the par value thereof, or in such other manner as the governor and council may determine to be for the best interest of the Commonwealth. The sinking fund established by chapter three hundred and ninety-four of the acts of the year eighteen hundred and eighty-nine shall also be maintained for the purpose of extinguishing bonds issued under the authority of this act, and the treasurer and receiver general shall apportion thereto from year to year an amount sufficient with the accumulations of said fund to extinguish at maturity the debt incurred by the issuing of said bonds. The amount necessary to meet the annual sinking fund requirements and to pay the interest on said bonds shall be included in and be made a part of the annual state tax levy, and any premium over the par value of said bonds received on the sale thereof shall form part of the sinking fund for their redemption.

SECTION 5. This act shall take effect upon its passage.

Approved June 9, 1896.

Chap. 532 AN ACT TO LEGALIZE CERTAIN BONDS OF THE CITY OF EVERETT.

Be it enacted, etc., as follows :

1893, 446, § 1,
amended.

City of Everett
may issue scrip
or bonds.

SECTION 1. Section one of chapter four hundred and forty-six of the acts of the year eighteen hundred and ninety-three is hereby amended by inserting after the word "commissioners", in the twelfth line of said section, the following words : — or by the board of public works, — so as to read as follows : — *Section 1.* The city of Everett is hereby authorized to issue scrip or bonds to the amount, upon the terms and conditions, and for the purposes, provided in chapter one hundred and forty-nine of the acts of the year eighteen hundred and ninety-one and chapter one hundred and eighty-nine of the acts of the year eighteen hundred and ninety-two, respectively, authorizing the town of Everett to issue scrip or bonds for extending and improving its water supply and funding its water debt. The scrip or bonds shall be authorized from time to time by the city council and signed by the treasurer and water commissioners, or by the board of public works, and approved by the mayor of the city of Everett.

SECTION 2. This act shall take effect upon its passage.

Approved June 9, 1896.

AN ACT TO CONFIRM CERTAIN PROCEEDINGS OF THE TOWN OF EAST LONGMEADOW Chap.533

Be it enacted, etc., as follows :

SECTION 1. The action of the town of East Longmeadow relative to the appropriation of money for telephone service, taken at the meeting of said town held on the ninth day of March in the year eighteen hundred and ninety-six, is hereby legalized and confirmed, but nothing herein contained shall authorize or empower said town to construct or maintain a telephone line. Certain proceedings confirmed.

SECTION 2. This act shall take effect upon its passage.

Approved June 9, 1896.

AN ACT TO CONFIRM THE PROCEEDINGS OF THE ANNUAL TOWN MEETING OF THE TOWN OF PRINCETON. Chap.534

Be it enacted, etc., as follows :

SECTION 1. The proceedings of the annual town meeting of the town of Princeton, held on the second day of March in the year eighteen hundred and ninety-six, shall not be invalid by reason of the fact that tellers were not appointed prior to said meeting, as required by chapter two hundred and eighty-five of the acts of the year eighteen hundred and ninety-five. Proceedings of annual town meeting confirmed.

SECTION 2. This act shall take effect upon its passage.

Approved June 9, 1896.

AN ACT RELATIVE TO THE TERMINAL FACILITIES OF THE NEW ENGLAND RAILROAD COMPANY, AND PROVIDING FOR THE ALTERATION OF THE GRADE CROSSING OF CONGRESS STREET WITH THE ROAD OF SAID COMPANY IN THE CITY OF BOSTON. Chap.535

Be it enacted, etc., as follows :

SECTION 1. The New England Railroad Company may abandon its railroad and terminal facilities west of the easterly line of A street in the city of Boston, in whole or in part, and provide other terminal facilities in said city, which in the judgment of the board of railroad commissioners of the Commonwealth are an adequate substitute therefor, and may contract with any railroad or other corporation for terminal facilities in Boston. Terminal facilities of New England Railroad Company.

SECTION 2. The commissioners appointed by the superior court upon the pending petition of the mayor and Alteration of grade crossing, etc.

Abolition of
grade crossing,
etc.

aldermen of the city of Boston for the alteration of the grade crossing of Congress street and the railroad of the New York and New England Railroad Company (now the New England Railroad Company), or any other commissioners appointed by the court upon said petition, shall forthwith proceed to prescribe the manner in which said crossing shall be abolished, either by carrying Congress street over the location and lands of the New England Railroad Company, or by altering the location of Congress street east of a point on that street three hundred and seventy-five feet east of the easterly boundary of A street, or by discontinuing any portion of Congress street east of said point on that street, and locating and constructing a new street one hundred feet wide, including a bridge over Fort Point channel in substitution therefor, and in substitution for any other ways, except Northern avenue, which may exist, or may now be provided to be hereafter located and constructed across the railroad or land of said railroad company in that part of Boston known as South Boston, northerly of West First street, and shall prescribe the manner and limits within which such alterations and changes shall be made, and shall determine which party shall do the work or shall apportion the work to be done between the railroad company and the city of Boston. Such new street and bridge, if located and constructed, shall be so located and constructed as to be in the judgment of the commissioners an adequate substitute for Congress street if discontinued in part, and for any other existing public way across the lands or railroad of said company northerly of West First street, except Northern avenue, as heretofore required to be constructed. Said commissioners shall within one year from the passage of this act determine and report upon the changes and locations of streets herein referred to.

Authority of
the legislature
required for the
construction of
certain high-
ways, etc.

SECTION 3. No highway, except as provided in section two of this act, shall be hereafter laid out or constructed across the lands or railroad of said company northerly of West First street, and southerly of Northern avenue, as heretofore provided to be constructed, without the special authority of the legislature; and if the board of harbor and land commissioners shall sell any lands of the Commonwealth to any railroad corporation owning or occupying said lands northerly of West First street, or any part thereof, they may, with the approval of the governor and

council, agree in behalf of the Commonwealth, as a part of said sale, that no highway or other way shall be laid out or constructed across said lands or the lands thus sold. But no portion of Congress street shall be discontinued for public travel until a new street in substitution therefor is constructed and open for public travel.

SECTION 4. The acceptance of the report of said commissioners by the superior court or any justice thereof shall be a taking of the land therein required to be taken for railroad and highway purposes, as therein specified, and damages shall be assessed and recovered therefor as provided by chapter four hundred and twenty-eight of the acts of the year eighteen hundred and ninety and acts in addition thereto and in amendment thereof.

Taking of land;
damages.

SECTION 5. The expenses of the alteration and improvements prescribed by the report of the commissioners, including damages occasioned by the taking of land and by the alteration and construction of highways and bridges as required by said report, shall be paid by the railroad company and the city of Boston and the Commonwealth, in such proportions as the commissioners shall decide to be just and equitable, considering all the relations of the parties. That portion of such expenses which may be required to be paid by the Commonwealth and by the city of Boston shall be primarily paid by the Commonwealth, and the treasurer and receiver general shall pay the amounts required therefor from any money in the treasury not otherwise appropriated; and when requested by the governor and council so to do may issue and sell bonds of the Commonwealth from time to time to provide means for such payments, under such terms and conditions and with such sinking funds for their redemption as shall best promote the welfare of the Commonwealth.

Payment of
expenses.

SECTION 6. For the purpose of paying that portion of the expenses required to be paid by the New England Railroad Company that company may issue bonds, to be secured by mortgage upon its road and property, to such amount as may be required therefor and as shall be approved by the board of railroad commissioners, or it may use the proceeds of bonds issued under its mortgage made on the second day of September in the year eighteen hundred and ninety-five, and recorded in Suffolk county registry of deeds on the twelfth day of September in the year eighteen hundred and ninety-five.

Railroad com-
pany may issue
bonds, etc.

Superior court
to appoint an
auditor, etc.

SECTION 7. The superior court shall appoint some proper person, who may be an inhabitant of Boston, as auditor, who shall from time to time audit and make report to the court of the expenses incurred in carrying out the decision of the commissioners, and the decree of the court confirming the same, which reports, when accepted by the court, shall be final.

Certain portion
of expense paid
by the Com-
monwealth to
be refunded.

SECTION 8. The city of Boston shall repay to the Commonwealth the proportion of the expenses required to be paid by it, and primarily to be paid by the Commonwealth, in the manner prescribed for payment by a town or a city to the Commonwealth of its proportion of the expenses of the alteration of grade crossings, by chapter two hundred and eighty-three of the acts of the year eighteen hundred and ninety-three.

Compensation
of commis-
sioners, etc.

SECTION 9. The compensation of the commissioners and the expense incurred in surveying, engineering and other matters under their direction, to enable them to make their report, as well as the compensation of the auditor appointed by the court, shall be a part of the expense of making the alterations and improvements required by the report of the commissioners.

Acceptance to
be a waiver of
objection to
validity of a
certain agree-
ment.

SECTION 10. The acceptance of the provisions of this act by the New England Railroad Company and the city of Boston by any proceedings thereunder shall be and in any court shall be construed as a waiver by them respectively of any objection to the validity of or defence to the enforcement of any and all of the provisions of the agreement of the twenty-fourth day of June in the year eighteen hundred and seventy-three, between the Commonwealth, the Boston and Albany Railroad Company, the Boston Wharf Company, and the city of Boston.

1890, 428, §§ 1-8,
etc., to apply,
etc.

SECTION 11. Sections one to eight inclusive of chapter four hundred and twenty-eight of the acts of the year eighteen hundred and ninety, and of acts in addition thereto or amendment thereof, shall, so far as they do not conflict with the foregoing provisions, be applicable to all proceedings under this act, and all damages sustained by any persons in their property by reason of anything done under this act may be recovered in the manner provided in said chapter for the recovery of damages caused by the taking of land for the alteration of grade crossings.

SECTION 12. This act shall take effect upon its passage.

Approved June 9, 1896.

AN ACT RELATIVE TO THE SUFFOLK COUNTY REFORMATORY, HOUSE OF CORRECTION AND BOSTON HOUSE OF INDUSTRY. *Chap. 536*

Be it enacted, etc., as follows :

SECTION 1. The institutions commissioner of the city of Boston shall prepare plans for the construction of buildings for a reformatory for male prisoners, to be known as the Suffolk County Reformatory, arranged to provide for the grading, classification, instruction and employment of such prisoners. Said commissioners shall proceed to construct said buildings at an expense of not more than five hundred thousand dollars, after the said plans therefor shall have been approved by the mayor of said city and after an appropriation to defray the expenses of constructing said buildings in accordance with the plans so approved shall have been made by the city council of said city, including the cost of any land not already owned by said city which it may be necessary to purchase as a site for said buildings.

Suffolk County Reformatory, etc.

SECTION 2. Said commissioner may use for said reformatory any real estate now owned by said city, or may take therefor, by purchase or otherwise, such other real estate in the county of Suffolk as said mayor may approve; and to take any such real estate otherwise than by purchase the mayor of said city shall cause to be recorded in the registry of deeds for said county a description of the real estate to be taken as certain as is required in a common conveyance of land, with the statement that the real estate is taken for said reformatory, and upon such recording the property described shall be taken for the city.

Land now owned by the city of Boston may be used and certain other land may be taken, etc.

SECTION 3. Said city shall pay all damages sustained by any person whose real estate is taken under the authority of this act, and if the person whose property is taken and said commissioner cannot agree upon the amount of such damages the same shall be assessed and determined in the manner provided by law when land is taken for the laying out of highways, on the application of such person or commissioner, filed in the clerk's office of the superior court for the county of Suffolk at any time within one year after the taking of such property.

Damages for real estate taken, etc.

SECTION 4. The mayor of said city when the buildings for such reformatory are ready for use shall inform the governor thereof, and the governor may thereupon issue

Governor to issue proclamation opening reformatory.

his proclamation fixing the date of the establishment and opening of the reformatory, and thereafter persons may be sentenced and committed thereto as hereinafter provided.

Superintendent
to be appointed,
rules and regu-
lations to be
established, etc.

SECTION 5. Said commissioner shall appoint a superintendent of the Suffolk county reformatory; shall establish such rules and regulations, to be approved by the governor and council, for the grading, classification, and release of the prisoners as shall provide for dealing with them according to their behavior, industry in labor and diligence in study; shall establish rules providing for the duties of the officers, the discipline and instruction of prisoners and the custody and preservation of the property of said reformatory; shall determine the salaries and compensation of officers appointed by him or by said superintendent; and may suspend or remove said superintendent for such cause as he shall state in his notice of removal.

Custody and
control of
prisoners, etc.

SECTION 6. Said superintendent shall have the custody and control of all prisoners committed to the reformatory, subject to rules and regulations made as aforesaid; shall appoint, subject to the approval of said commissioner, a deputy superintendent, chaplain, clerk, and such subordinate officers and employees as he may deem necessary; and may suspend or remove any officer or employee appointed by him for such cause as he shall deem sufficient and shall state in writing to said commissioner.

Sentences to
reformatory.

SECTION 7. Any male person not more than thirty-five years of age, convicted of an offence committed within the county of Suffolk, punishable by imprisonment in the state prison or in the house of correction, may be sentenced to said reformatory; and every municipal, police and district court in the county of Suffolk having jurisdiction and authority to sentence such person to a house of correction shall have jurisdiction and authority to sentence him to said reformatory. The court imposing the sentence shall not fix or limit the duration thereof, but shall merely sentence the prisoner to the Suffolk county reformatory, and any person so sentenced for an offence punishable by imprisonment in the state prison may be held in said reformatory for a term not exceeding five years, and any person so sentenced for an offence that is not punishable by imprisonment in the state prison may be held in said reformatory for a term not exceeding two years. The court imposing any such sentence shall

transmit to the superintendent an attested copy of the complaint or indictment under which such person was convicted, together with the names and addresses of the witnesses testifying for and against such person at his trial. No fee shall be charged or allowed for making said copies.

SECTION 8. All expenses of said reformatory, including the salaries and compensation of officers and employees, shall be paid from the treasury of said city, upon vouchers approved by said commissioner, in the same manner as the expenditures of other institutions under the charge of said commissioner are paid.

Expenses to be paid from city treasury.

SECTION 9. The house of industry in the city of Boston is hereby established as a house of correction for the county of Suffolk, and shall be hereafter known as the House of Correction at Deer Island, and the buildings constituting the same may be enlarged or others erected therefor as said commissioner, with the approval of the mayor, may deem proper.

House of industry established, etc.

SECTION 10. Said house of correction at Deer Island shall be subject to all general and special laws now in force or which may hereafter be enacted, relating to the house of correction for the county of Suffolk, but prisoners held in said house of industry upon sentences imposed before this act takes effect shall serve their sentences therein in the same manner as if this act had not been passed, and all laws which are applicable to such prisoners shall be in full force as to them until the expiration of their terms of sentence thereto.

Subject to provisions of certain general and special laws.

SECTION 11. Said commissioner may classify the prisoners in either or both of said houses of correction, and may transfer them from one house of correction to the other, or to said reformatory, and from said reformatory to either of said houses of correction. Every prisoner so transferred shall serve the remainder of his sentence in the institution to which he is transferred, in the same manner as if he had been committed thereto originally.

Prisoners may be classified, etc.

SECTION 12. Said commissioner, when of the opinion that any prisoner in said reformatory will lead an orderly life if released, may with the approval of the court by which such prisoner was sentenced issue to such prisoner a permit to be at liberty during the remainder of his term of sentence, upon such terms and conditions as he shall deem best, and he may revoke said permit at any time

Prisoners may receive permit to be at liberty in certain cases.

previous to its expiration. Said commissioner shall not receive or consider any petition or request for the release of any such prisoner. The violation by the holder of a permit issued as aforesaid of any of the terms or conditions thereof, or the violation of any law of this Commonwealth, shall of itself make void the permit.

Commissioner may issue an order for the arrest of holders of certain permits, etc.

SECTION 13. When any permit granted as aforesaid has been revoked or has become void said commissioner may issue an order authorizing the arrest of the holder thereof and his return to the institution in which he was held at the time of his release, and he shall thereafter be detained therein in accordance with his sentence, and in computing the period of his confinement the time between his release upon said permit and his return to the institution shall not be taken to be any part of the term of the sentence.

By whom order for transfer, etc., may be served.

SECTION 14. Any order for a transfer or for an arrest and return, as aforesaid, may be served throughout the Commonwealth by any officer of either of said institutions so directed by said commissioner, or by any officer authorized to serve criminal process in the Commonwealth.

House of correction at South Boston to be discontinued, etc.

SECTION 15. Said commissioner, after all prisoners sentenced to the house of correction at South Boston have been transferred or discharged therefrom, shall cause said house of correction at South Boston to cease to be a house of correction, and, with the approval of the mayor, shall sell in behalf of the city the land and buildings used therefor, and pay the proceeds of such sale to the commissioners of sinking funds. Said commissioners shall place all amounts so paid to them by said commissioner in a sinking fund for the payment of the loan contracted for the erection of the reformatory provided for by this act.

When to take effect.

SECTION 16. Sections nine, ten, eleven and twelve of this act shall take effect upon the first day of July in the year eighteen hundred and ninety-six.

Approved June 9, 1896.

Chap. 537 AN ACT TO INCORPORATE THE MASSACHUSETTS PIPE LINE GAS COMPANY.

Be it enacted, etc., as follows:

Massachusetts Pipe Line Gas Company incorporated.

SECTION 1. Henry M. Whitney, Henry F. Dimock, Fred S. Pearson, James Phillips, Junior, Albert N. Parlin, George B. M. Harvey, John M. Bailey, Frank

Leake, Jonas Wilder, Henry E. McCoy, and John L. Wellington, their associates and successors, are hereby made a corporation, under the name of the Massachusetts Pipe Line Gas Company, for the purpose of manufacturing, buying, selling, dealing in, conveying, transporting and distributing gas for illuminating, heating, cooking, chemical, mechanical and power purposes, with all the powers and privileges and subject to all the duties, restrictions and liabilities in all general laws which now are or may hereafter be in force applicable to gas companies, except as hereinafter expressly provided.

SECTION 2. The following terms wherever used in this act shall have the application and meaning hereinafter set forth, unless some other meaning is clearly apparent from the language, context or manifest intent:—

The word “company”, or a pronoun in place of it, shall be taken and construed to mean the Massachusetts Pipe Line Gas Company hereby incorporated. The word “gas”, shall be taken and construed as a general term for that commodity, without reference to its illuminating power. The words “illuminating gas”, shall be taken and construed to mean gas of the purity and illuminating power required by general law, intended to be used for illuminating purposes by simple ignition at the burner. The words “fuel gas”, shall be taken and construed to mean gas of any illuminating power, but of the purity required by general law as to illuminating gas, and intended to be used for heating, cooking, chemical, mechanical and power purposes, and may be used without connection with any chimney or flue. The term “pipe line”, shall be taken and construed to mean a line of mains, pipes or conduits, with the manholes and other apparatus necessary for the operation thereof, connecting a distributing system, plant for the manufacture of gas, or other pipe line, with any distributing system, plant, pipe line, town or city. The term “distributing system”, shall be taken and construed to mean any system of mains, pipes or conduits, in any city or town, with the manholes and other apparatus necessary for the operation thereof, used for distributing gas from any central storage receiving point or pipe line to individual consumers or for public lights in such city or town. The word “board”, shall be taken and construed to mean the board of gas and electric light commissioners.

Certain terms defined.

Capital stock.

SECTION 3. The capital stock of the company shall be one million dollars, divided into ten thousand shares of the par value of one hundred dollars each. The company may from time to time, but in compliance with the provisions and requirements of the general laws of the Commonwealth applicable to the issue of capital stock, increase its capital stock to an amount not exceeding five million dollars.

Powers and duties of corporation.

SECTION 4. The company may, for the purposes aforesaid and subject to the conditions hereinafter set forth, lay, construct, maintain, repair and operate its pipe lines and distributing systems in, along, through, under, across or over any public ways, water courses, railroads, railways, canals, bridges or subways; and may make such excavations and construct such works as may be necessary for the laying, construction, maintenance, repair, extension, operation and examination of such conduits, pipes, manholes and other apparatus, machinery and works. But nothing herein shall be construed as authorizing the location by said company of any of its pipes, lines, works, conduits, manholes or machinery in, over, through, under or upon any subway, navigable water course, cemetery or public park or common or public reservation in the nature of a park, until said company has first obtained the consent of the board of harbor and land commissioners, park commissioners or other authorities having control of such subways, cemeteries, navigable water courses, parks, commons or public reservations in the nature of parks. No conduit, pipe or main shall be laid longitudinally along the location of any railroad company, nor shall any manhole or other structure be erected within such location, without the consent of the directors of such railroad company; but the company may lay, construct, maintain and operate its conduits, pipes or mains across or under any such location, at such times and under such reasonable regulations and restrictions as the directors of such railroad company shall prescribe.

To petition for certain rights in cities and towns, etc.

SECTION 5. If the company shall desire for its pipe lines the right to construct, maintain and operate the same in the streets, lanes and highways of any city or town, it shall petition the aldermen or selectmen therefor, stating the termini of such pipe line in such city or town with as much particularity and certainty as practicable, and stating the streets, highways and lanes in which the company

desires to locate such pipe line; and the aldermen or selectmen shall grant that location, or such other location in such streets, lanes and highways as they shall deem proper. In the event that said aldermen or selectmen shall for a period of thirty days refuse or neglect to grant a location, or if the company is dissatisfied with the location granted, it may within sixty days thereafter appeal to the board, who, after such hearing and notice as they shall deem proper, shall grant to the company reasonable locations between said termini for such pipe line in the streets, lanes and highways of said city or town. Upon the granting of such locations by said aldermen, selectmen or board, the company may lay, construct, maintain and operate such pipe line in the location granted. Similar rights as to additional pipe lines in the same city or town shall be obtained only by permission of the board. The company may, upon obtaining such locations, and subject to such regulations and restrictions in respect to the manner and time of conducting the work as said aldermen or selectmen shall prescribe, dig up and open the ground in any of the streets, lanes and highways of said city or town so far as is necessary to accomplish the object of the corporation; but such grant shall not affect the right or remedy to recover damages for an injury caused to persons or property by the doings of the company. It shall put all such streets, lanes and highways which are opened by it in as good repair as they were when opened, and to the satisfaction of the local authorities of the city or town in which such streets, lanes or highways are located, and upon failure so to do within a reasonable time shall be deemed guilty of a nuisance. In constructing, maintaining, repairing or extending its distributing system in any city or town the company shall be subject to all the restrictions, regulations and liabilities set forth in section seventy-five of chapter one hundred and six of the Public Statutes, except as in this act provided; and in the construction, maintaining, repairing and extending of its pipe lines and distributing systems it shall in all cases be subject to the restrictions, regulations and liabilities set forth in sections seventy-six and seventy-seven of said chapter one hundred and six. If in making such excavations any water or gas pipes, sewers, drains, conduits or other subterranean works are disturbed or interfered with, the same shall, at the expense of the company, be restored to as good condition as

To petition for
certain rights in
cities and
towns, etc

Locations
granted subject
to revocation.

they were in before such excavation. All locations granted under this section shall be subject to revocation by said aldermen or selectmen respectively, subject to the approval of said board.

May purchase,
lease, etc., other
systems.

SECTION 6. The company may, subject to the approval of the board and upon such terms and conditions as may be mutually agreed upon, and as may be approved by the board, purchase, lease or operate the works, distributing system and other property of any person, firm, corporation, town or city engaged in the business of selling or distributing gas, or any portion of such works, distributing system or other property in any city or town in which the company has laid a pipe line: *provided, however*, that nothing in this act shall authorize the company to issue new capital stock or bonds for the purpose of such purchase in excess of the amount issued by the corporation whose works are purchased; and such person, firm, corporation, town or city may sell or lease any of its works, distributing system or other property to the company as aforesaid. The company may thereupon use the said works, distributing system or other property for the purpose of selling gas to the inhabitants of the town or city within which the same are situated; *provided, however*, that in case of any such purchase, lease or operating contract, the prices charged by the company to individual consumers or for public lights shall thereafter be subject to the jurisdiction of the board, as provided by section nine of chapter three hundred and fourteen of the acts of the year eighteen hundred and eighty-five, and shall not in any case exceed the prices ruling at the time of such purchase, lease or operating contract; nor shall the company discontinue any portion of the distributing system it may acquire by any such purchase, lease or operating contract, but shall be subject to the provisions of section five of chapter three hundred and forty-six of the acts of the year eighteen hundred and eighty-six.

May supply gas
to other com-
panies, etc.

SECTION 7. The company may sell or deliver fuel or illuminating gas to any gas company or to any town or city authorized by law to distribute gas; and any gas company and any such town or city may contract for the purchase of gas of the company for such term of years, and on such conditions as may be mutually agreed upon; but the prices charged by the company for such gas shall not exceed the following amounts per thousand cubic feet for

fuel gas of a heat value not less, on the average, than five hundred and eighty British thermal heat units, delivered at the holder or mains of any such gas company, town or city, at the following distances from the state house: Twenty cents within five miles, twenty-five cents between five and fifteen miles, and thirty cents beyond fifteen miles, and not exceeding five cents additional in each case for illuminating gas of the candle power required by law. In any city or town having the right to manufacture or distribute gas the company shall supply such city or town with gas for distribution upon the same terms as it shall supply it to any gas company distributing gas in such city or town. The price charged by the company for fuel or illuminating gas to individual consumers shall not exceed the following amounts per thousand cubic feet, as herein provided: Within eight miles of the state house, sixty cents; to the inhabitants of any city outside of the above limit, having a population of more than seventy-five thousand, seventy-five cents; to any other city outside of said limit, ninety cents; to the inhabitants of any town, one dollar and twenty-five cents. The company shall not sell gas to individual consumers except as provided in section six of this act.

Schedule of prices.

SECTION 8. The supreme judicial court and any justice thereof, and the superior court and any justice thereof, shall have jurisdiction in equity, on petition of any party interested, to compel compliance with the provisions of this act and to prevent any violations of the provisions thereof.

Supreme and superior courts to have jurisdiction, etc.

SECTION 9. This act shall take effect upon its passage.

Approved June 9, 1896.

AN ACT TO AUTHORIZE THE CITY OF LAWRENCE TO REFUND A PORTION OF CERTAIN MONEYS PAID FOR A LIQUOR LICENSE. *Chap. 538*

Be it enacted, etc., as follows:

SECTION 1. The city of Lawrence is hereby authorized to refund to Elise Levesque a portion of the sum paid by Lucien Levesque in the month of April in the year eighteen hundred and ninety-six, for liquor licenses, the part so refunded to be in proportion to the unexpired period of the licenses.

Portion of liquor license fee may be refunded.

SECTION 2. This act shall take effect upon its passage.

Approved June 9, 1896.

Chap.539 AN ACT IN ADDITION TO AN ACT MAKING APPROPRIATIONS FOR THE PREPARATION FOR PUBLICATION AND FOR THE PUBLICATION OF THE PROVINCE LAWS.

Be it enacted, etc., as follows:

Appropriations
for publication
of province
laws.

SECTION 1. The sum of fourteen hundred dollars is hereby appropriated, to be paid out of the treasury of the Commonwealth, for salaries and expenses in the department of the commissioner appointed to edit the province laws, from the first day of May up to and including the thirtieth day of June in the year eighteen hundred and ninety-six, the same to be in addition to any amount heretofore appropriated during the present year for the same purpose.

SECTION 2. This act shall take effect upon its passage.

Approved June 9, 1896.

Chap.540 AN ACT RELATIVE TO INJURIES RECEIVED ON HIGHWAYS RESULTING FROM SNOW OR ICE.

Be it enacted, etc., as follows:

Liability for
injuries on high-
way from cer-
tain causes.

SECTION 1. No city or town shall be liable for any injury or damage to person or property hereafter received or suffered in or upon any part of a highway, town way, causeway or bridge, by reason or in consequence of snow or ice thereon, if the place at which the injury or damage was received or suffered was at the time of the accident otherwise reasonably safe and convenient for travelers.

SECTION 2. This act shall take effect upon its passage.

Approved June 9, 1896.

Chap.541 AN ACT RELATIVE TO STREET RAILWAYS LOCATED ON STATE HIGHWAYS.

Be it enacted, etc., as follows:

Location of
street railways
on state high-
ways may be
changed, etc.

SECTION 1. Whenever in the construction of a state highway it becomes necessary, in the opinion of the Massachusetts highway commission, to change the location, relay or change the grade of that part of any street railway located on said highway, or to place different material between its tracks, or to make any other change in the location and construction of said railway, said commission may, in the manner provided in section twenty-two of chapter one hundred and thirteen of the Public

Statutes for making such changes by boards of aldermen and selectmen, order the company owning or operating said railway to make such changes: *provided, however,* Proviso. that the company shall thereafter enjoy the same rights in the new location that it had in the original location; and unless the same are made within the time limited by said commission the commission may make said changes, and the cost of making the same, whether by the railway company or by said commission; shall be paid by said commission; said cost with interest at a rate not exceeding four per cent. per annum shall be paid by said railway company to the Commonwealth in ten equal annual payments; and the auditor of the Commonwealth on or before the first day of July in each year shall certify the amount due to the tax commissioner, who shall forthwith demand the same; and payment shall be made within thirty days thereafter. The claim of the Commonwealth shall have priority over all other claims against said railway company, except for labor, and shall be collected in the same manner as the corporation tax; but any such company may itself pay for the expenses of said changes at the time of making the same, and may anticipate said annual payments in whole or in part.

SECTION 2. This act shall take effect upon its passage.

Approved June 9, 1896.

AN ACT TO INCORPORATE THE MASSACHUSETTS MARITIME CANAL COMPANY. *Chap. 542*

Be it enacted, etc., as follows:

SECTION 1. Elmer L. Corthell, Francis V. Smith, Seymour P. Thomas, Adolph Vietor, Alfred J. Murray, Alured B. Nettleton, Henry L. Turner, John H. Rice, Wendell G. Corthell, and Wyatt M. Bassett, their associates and successors, are made a corporation by the name of the Massachusetts Maritime Canal Company; and as such shall have perpetual succession, and by that name may sue and be sued, plead and be impleaded in law and equity, and may purchase, receive, hold and convey real and personal estate, and the same retain to themselves, their successors and assigns, so far as it shall be necessary for their accommodation and convenience in the transaction of their business; with all the privileges and subject to all the duties, restrictions and liabilities set forth in all

Massachusetts
Maritime Canal
Company
incorporated.

general laws which now are or may hereafter be in force relating to railway corporations, so far as they are applicable, except as hereinafter provided.

Capital stock
and bonds.

SECTION 2. The capital stock of said corporation shall be six million dollars, divided into shares of one hundred dollars each; and said corporation may, by a vote at a meeting called for that purpose, issue coupon or registered bonds to an amount not exceeding in the aggregate the capital stock of said corporation actually paid in at the time; and may mortgage or pledge as security for the payment of such bonds a part or all of its canal, equipment or franchise, or a part or all of its property, real or personal. Such bonds shall be payable at periods not exceeding fifty years from the date thereof, and shall, except as herein provided, be issued in accordance with sections sixty-two to seventy-three, inclusive, of chapter one hundred and twelve of the Public Statutes, which are hereby made applicable to said corporation. Said corporation may issue stock and bonds in payment for labor performed and material furnished in the construction of a canal as hereinafter provided, and in payment for property acquired for that purpose, and to provide means for funding its floating debt or for the payment of money borrowed for any lawful purpose. All issues of stock and bonds under the provisions of this act shall be subject to the approval and certification of the joint board provided for in section six of this act, in the manner provided in chapter four hundred and sixty-two of the acts of the year eighteen hundred and ninety-four relative to the issue of stock and bonds by railroad and street railway companies.

May locate,
construct and
operate a canal,
etc.

SECTION 3. Said corporation may locate, construct, maintain and operate a ship canal, beginning at some convenient point in Buzzard's bay and running through the towns of Bourne and Sandwich, or either of them, to some convenient point in Cape Cod or Barnstable bay; may locate, construct and maintain all such wharves, docks, breakwaters and other structures and works as may be necessary for the convenient use of said canal, together with the highways provided for by this act; and may maintain and operate steam and other vessels for transportation, and steam tugs, or may use any other means or methods for assisting vessels in their approach to and passage through and from the canal. Said canal, when constructed, shall have a depth of not less than

twenty-five feet at mean high water, and a width of not less than one hundred feet at the bottom, with suitable slopes and with a surface width of not less than two hundred feet. All materials excavated from tide waters shall be disposed of so as not to unnecessarily interfere with the fishing interests, and material excavated shall be deposited within the limits of the location of the canal, as far as practicable. The construction of the approaches to said canal from the present line of high water upon the shores seaward at either end thereof, shall be subject to the provisions of chapter nineteen of the Public Statutes, and said canal when completed shall be under the jurisdiction of the harbor and land commissioners.

Disposition of materials excavated, etc.

SECTION 4. Said corporation may survey, and after depositing two hundred thousand dollars with the treasurer of the Commonwealth, as provided in section twenty-three, may lay out and have the location of its canal, not exceeding one thousand feet wide, and shall within six months from the passage of this act file the location thereof with the county commissioners for the county of Barnstable, defining the courses, distances and boundaries thereof, in the manner provided for filing railroad locations. Said corporation may from time to time purchase or take any land or materials necessary for making or securing a convenient use of its canal, breakwaters, basins, docks, wharves, gates, highways, or other structures and works, in the manner in which land or materials are taken for the construction of railroads.

Taking of land, etc., to be contingent upon deposit made with the treasurer.

SECTION 5. Said corporation shall pay all damages occasioned to the Old Colony Railroad Company or to the New York, New Haven and Hartford Railroad Company by laying out and making said canal, or by taking land or materials therefor, or by any change required under this act of the road of either of said railroad companies; and such damages, on the application of either party, shall be estimated by the county commissioners for the county of Barnstable, in the manner and subject to the rules of law provided for determining the damages for taking land in laying out railroads. Either party dissatisfied with the estimate of the county commissioners may, at any time within one year after it is completed and returned, apply by petition to the superior court for the county of Barnstable for a jury to assess the damages, and like proceedings shall be had thereon as in proceedings for damages for laying out railroads.

Damages.

Crossing of canal by tracks of Old Colony Railroad Company.

SECTION 6. The canal company, within six months from the passage of this act, may apply to the boards of railroad commissioners and of harbor and land commissioners, who for the purposes hereinafter stated are constituted a joint board, to determine at what point or points the railroad of the Old Colony Railroad Company shall cross said canal, by a drawbridge or bridges.. Said joint board thereupon, after notice to the Old Colony Railroad Company and to all other parties interested, which notice shall be given in such form as said joint board shall direct, shall determine said questions, and the decision of a majority of said joint board shall be final. Said canal company shall construct its canal with such structures and appliances for its protection and use as said joint board may order, together with such bridge or bridges, ferries, and changes of highways, under the supervision of said joint board, as shall be in accordance with plans approved by them and in conformity with such orders as they may make; and the supreme judicial court shall have jurisdiction in equity to enforce such orders.

Railroad commissioners to prescribe when and how location of railroad shall be altered.

SECTION 7. The board of railroad commissioners, after due notice to all parties interested and after hearing all who shall appear, shall determine and prescribe in writing the time when and the manner in which the Old Colony Railroad Company shall alter its location so as to cross said canal at such point or points as may be determined upon by the joint board hereinbefore provided; and in making such alterations, said railroad corporation shall have all the powers and privileges and shall be subject to all the duties, restrictions and liabilities set forth in all general laws relating to railroads, except that the damages of land owners shall be assessed only against, and shall be paid by, said canal company, as in case of land taken for railroad purposes. The canal company may thereupon proceed to build the railroad upon the new location, and may complete the same in such manner as may be prescribed by the railroad commissioners and to their satisfaction, in case the parties do not agree upon the same; and shall pay all damages caused by the construction of said railroad upon such new location, and shall be liable for such damages as in case of the construction of railroads. Until the completion of the railroad upon the new location said canal company shall not enter upon the old location of said railroad except for making surveys or by consent

of the Old Colony Railroad Company, or of the railroad commissioners. Damages occasioned to the Old Colony railroad by its compliance with the requirements of this act may be recovered by it of the canal company, in the manner provided by law for the recovery of damages caused by the location and construction of railroads.

SECTION 8. The Old Colony Railroad Company shall have its location, not exceeding five rods in width, upon any land owned or located upon by said canal company, up to the said bridge or bridges on each side thereof: *provided*, that all reasonable use of said location by the said canal company for the purpose of operating its canal and for highway purposes, and under the direction of the railroad commissioners, shall be permitted by the railroad company, without payment of rent.

SECTION 9. The Old Colony Railroad Company, upon the completion and acceptance by the board of railroad commissioners of the newly constructed railroad and bridge or bridges, as above-provided, may at its option take such iron and other materials as may remain upon that portion of the line of said railroad which is to be given up, and shall allow or pay to the said canal company the value thereof, such value to be determined by the county commissioners of the county of Barnstable in case the parties do not agree upon the same.

SECTION 10. Upon the completion and acceptance by the board of railroad commissioners of the newly constructed railroad and bridge or bridges as above-provided, the title of said railroad company to the land covered by the old location of said railroad, so far as the same is included within the location made by said canal company, shall vest in and become the property of said canal company.

SECTION 11. The canal company shall build and maintain and keep in repair a bridge or bridges across said canal, suitable for the passing of the railroad and highway traffic, as said joint board shall determine, which bridge or bridges shall have a suitable draw or draws for the passage of vessels, and shall be constructed to the acceptance, and shall be maintained under the supervision, of the board of railroad commissioners. The Old Colony Railroad Company shall appoint a superintendent and all necessary assistants for such bridge or bridges, who shall be paid by said canal company a reasonable compensation, to be fixed by the railroad commissioners. Said superintendent shall

Damages.

Location of railroad company.

Railroad company may take certain unused materials.

Title to certain land, etc., to vest in the canal company.

Bridge or bridges across the canal to be maintained by the canal company.

Railroad company to appoint a superintendent, etc.

have full control and direction of the passing of vessels through the draw and of trains over the bridge, and with said assistants shall be subject to such rules and regulations, not inconsistent with law, as said railroad and canal company shall from time to time prescribe for the operation of said bridge; but such rules and regulations shall be subject to approval and alteration by the said board of railroad commissioners. Said superintendent and assistants shall be subject to removal by said board of railroad commissioners. In case of injury to or of the destruction of any railroad bridge over the canal the railroad company may repair or rebuild it, and recover the reasonable expense thereof of the canal company in an action of contract, unless such injury or destruction was caused by the fault of the railroad company, in which case the expense shall be borne by the railroad company.

Penalty for opening or obstructing swing or lift bridge unlawfully.

SECTION 12. Whoever unnecessarily opens, shuts or obstructs the swing or lift bridge without consent of the superintendent in charge, or without such consent makes fast or moors to, or being in charge thereof refuses to unloose or unmoor any scow, raft or other vessel from any of said bridges within wake of the draw or lift, shall pay a fine of not less than three dollars or more than fifty dollars for each offence, to be recovered for the benefit of said canal company.

Penalty for injury to bridges, etc.

SECTION 13. Whoever wilfully injures or damages said bridges, wharves or piers, or wilfully disturbs or hinders the superintendent or his assistants in the discharge of their duties, shall forfeit for each offence a sum not exceeding one hundred dollars, and shall be further liable in damages to the canal company for each offence, to be recovered for the use of the canal company.

Ferries to be provided, etc.

SECTION 14. The said canal company shall provide and maintain in the town of Bourne, at such points as may be designated by the county commissioners, suitable ferries or bridges across the canal for passengers and teams, to be operated free from tolls, under reasonable rules to be established by the county commissioners, except that the canal company shall not be required to maintain a ferry if a highway bridge or tunnel shall be built at or near any of said points. Said canal company shall forfeit fifty dollars to the town of Bourne, or to the town of Sandwich, as the case may be, for each day after any highway is cut away in which said canal company

shall fail to provide and maintain a ferry or other means of crossing at the point where such highway is cut away, to be recovered upon complaint or indictment in the county of Barnstable, to the use of said town of Bourne, or of said town of Sandwich, as the case may be.

SECTION 15. The said canal company shall also construct such highways over its location to connect with the bridge or bridges, tunnel or tunnels, and ferries herein provided for, and such other highways as may be necessary to replace the highways destroyed by the construction of said canal, in such manner and at such times as the county commissioners for the county of Barnstable and selectmen of the town or towns in which said highways are located shall prescribe. After the completion of such highways, and their acceptance by the said county commissioners, the said canal company shall not be responsible in any manner for the further maintenance of the same, except upon the location of said canal company.

Highways, etc., to be constructed.

SECTION 16. The said canal company shall, in case of any injury to any fishery, including oyster fisheries, pay to the owner thereof such damages as shall, upon the application of either party, be estimated by the commissioners on inland fisheries and game, in a manner similar, so far as may be, to that provided in laying out highways, and with a similar right of appeal to a jury by proceedings like those provided for in section five of this act.

Damages for injury to fisheries.

SECTION 17. The said canal company may establish for its sole benefit a toll upon all vessels or water craft of whatever description which may use its canal, at such rates as the directors thereof may determine; and may, from time to time, regulate such use in all respects as the directors may determine. Said corporation may also furnish towage through said canal for all vessels or water craft which require it, for which service it may establish for its sole benefit such tolls or charges as the directors thereof may determine.

Tolls upon vessels, etc., using canal.

SECTION 18. Whoever fraudulently evades or attempts to evade the payment of any toll or charge lawfully established under section seventeen of this act, either by misrepresenting the register or draught of any vessel or otherwise, shall pay a fine of not less than five dollars nor more than five hundred dollars, to be recovered for the benefit of said canal company, and shall also be answerable for damages to said canal company.

Penalty for evading payment of toll, etc.

Penalty for obstructing passage of vessels, etc.

SECTION 19. Whoever wilfully and maliciously obstructs the passing of any vessel or steam tug or other water craft in said canal, or obstructs the approaches to said canal within two thousand feet of either extremity thereof, or in any way injures said canal or its banks, bridge or bridges, breakwaters, docks, wharves, locks, gates or other structures or works, lights, buoys, signals, or anything appertaining thereto, or any materials or implements for the construction or use thereof, or aids or abets in such trespass or injuries, shall forfeit to the use of the corporation, for each offence, treble the amount of damages proved to have been sustained thereby, to be recovered in an action of tort in the name of the corporation, and may further be punished by a fine not exceeding one thousand dollars or by imprisonment for a term not exceeding one year.

Compensation of county commissioners.

Proviso.

SECTION 20. Said canal company shall pay each of the county commissioners the sum of six dollars per day for their services and expenses for the time actually consumed in discharging their duties: *provided, however*, that said canal company shall not be required to pay either of said commissioners for more than fifty days' service in one year. The said canal company shall further pay to the towns of Bourne and Sandwich respectively, the sum of five hundred dollars each, as an allowance for expenses that may be incurred by said towns on account of said canal company. Said sum shall be paid to said towns within six months from the first day of December in the year eighteen hundred and ninety-six.

Location of canal subject to taxation.

SECTION 21. The towns of Sandwich and Bourne may tax the land within the location of said canal to said canal company, upon the assessed valuation of the land at the time of the taking thereof by said company, and until the canal is constructed thereon and is in actual operation.

Canal to be completed within five years.

SECTION 22. Said canal company shall commence the construction of said canal within eight months from the date of the passage of this act, and shall fully complete and construct the same within five years from the date of its passage.

To be void unless deposit is made with the treasurer of the Commonwealth, etc.

SECTION 23. This act shall become null and void unless said canal company shall, on or before the first day of December in the year eighteen hundred and ninety-six, and before any part of the canal shall have been constructed, deposit with the treasurer of the Commonwealth

the sum of two hundred thousand dollars in cash or in United States government bonds, as security for the payment of all damages for the taking of land by said company; which said money or bonds shall be subject to attachment or levy upon any legal process issued in behalf of any person against said company for the recovery of damages for the taking of land.

SECTION 24. All persons whose lands shall be taken under the location filed by said canal company under section four of this act shall, within ninety days after the filing of such location, file with the county commissioners of the county of Barnstable a written statement setting forth substantially the amount of land so taken, and the amount of damages claimed by them respectively for the taking thereof, and the county commissioners shall thereupon, after giving to all parties interested such notice as they shall deem sufficient, determine and award the amount of damages to which such persons are entitled.

Owners of land taken to file statement, etc.

SECTION 25. Any party dissatisfied with the award of the county commissioners may, at any time within one year after the date of such award, apply by petition to the superior court of the county of Barnstable for a jury to assess the damages, and like proceedings shall be had therein as in proceedings for damages for laying out railroads. The treasurer of the Commonwealth is hereby empowered and directed, upon the filing with him of a certified copy of the final decree as appears of record in any such proceeding, to pay to the parties appearing by such decree to be entitled thereto, or their legal representatives, the sum of money set forth in said decree.

Parties dissatisfied with award for damages may apply for a jury, etc.

SECTION 26. The treasurer of the Commonwealth, for the purpose of providing for the payment of such sums of money as he may be required to pay under sections twenty-four and twenty-five of this act, is hereby empowered and authorized to sell and dispose of at public auction such amounts of United States bonds, deposited with him under section twenty-three of this act, as may be necessary for that purpose.

Treasurer may use deposit in payment of damages.

SECTION 27. Said canal company shall file with the treasurer of the Commonwealth a certified copy of all claims filed with the county commissioners under section twenty-four of this act, and the said treasurer shall thereupon compare such list of claims with his records of payments made under sections twenty-four and twenty-five

Copy of claims for damages to be filed by the canal company.

of this act, and if it shall appear by his records that all of such claims have been paid, he shall thereupon pay over to said canal company the remainder of the cash or bonds deposited with him under section twenty-three of this act.

SECTION 28. This act shall take effect upon its passage.

Approved June 9, 1896.

Chap.543

AN ACT RELATIVE TO THE ALLEN GYMNASIUM COMPANY.

Be it enacted, etc., as follows:

Capital stock
may be reduced,
etc.

Proviso.

SECTION 1. The Allen Gymnasium Company, a corporation organized under the provisions of chapter one hundred and fifteen of the Public Statutes, may, at a meeting called for the purposes, reduce the amount of its capital stock and the number of shares therein, or change the par value of its shares: *provided*, that a certificate of such change shall within ten days thereafter be made, signed and sworn to by its president, treasurer and a majority of its directors, and be filed in the office of the secretary of the Commonwealth.

SECTION 2. This act shall take effect upon its passage.

Approved June 9, 1896.

Chap.544

AN ACT RELATIVE TO THE USE OF STREETS BY CORPORATIONS.

Be it enacted, etc., as follows:

P. S. 106, § 75,
amended.

Certain cor-
porations may
dig up streets,
etc.

SECTION 1. Section seventy-five of chapter one hundred and six of the Public Statutes is hereby amended by inserting after the word "companies", in the first line, the words:—corporations organized for the purpose of transporting the United States mail, merchandise and other articles by means of pneumatic pressure or power,—so as to read as follows:—*Section 75.* Gas light companies, corporations organized for the purpose of transporting the United States mail, merchandise and other articles by means of pneumatic pressure or power, and corporations organized for either or both of the purposes mentioned in section eleven, may, with the consent in writing of the mayor and aldermen of a city or the selectmen of a town, dig up and open the grounds in any of the streets, lanes, and highways thereof, so far as is necessary to accomplish the objects of the corporation; but such consent shall not affect the right or remedy to recover damages for an injury caused to persons or property by

the doings of such corporations. They shall put all such streets, lanes, and highways which are opened, into as good repair as they were in when opened; and upon failure so to do within a reasonable time, shall be deemed guilty of a nuisance.

SECTION 2. Section seventy-six of chapter one hundred and six of the Public Statutes is hereby amended by striking out in the second line of said section, the words “a gas company”, and inserting in place thereof the words:—any gas light company, or of any corporation organized for the purpose of transporting the United States mail, merchandise or other articles by means of pneumatic pressure or power, or of any corporation organized for either or both of the purposes mentioned in section eleven, — also by striking out the words “the gas company”, in line seven of said section, and the words “such company”, in line eight, and also in line nine of said section, and inserting, in each instance, in place of the words so stricken out, the words:—said company or corporation, — so as to read as follows:—*Section 76.* When a party injured in his person or property by a defect in a highway, caused by the operations of any gas light company, or of any corporation organized for the purpose of transporting the United States mail, merchandise or other articles by means of pneumatic pressure or power, or of any corporation organized for either or both of the purposes mentioned in section eleven in laying down or repairing its pipes or otherwise obstructing such way, recovers damages therefor of the place wherein such injury is received, such place shall, in addition to the damages so recovered against it, be entitled to recover all the taxable costs of the plaintiff and defendant in the same action, in a suit brought against said company or corporation, if said company or corporation is liable for said damages, and if reasonable notice is given by such place to said company or corporation, so that it may defend the original action.

P. S. 106, § 76,
amended.

Liability for
injuries to
persons or
property, etc.

SECTION 3. All issues of stock and bonds under the provisions of this act shall be subject to the approval and certification of the board of gas and electric light commissioners, in the manner provided in chapter four hundred and fifty of the acts of the year eighteen hundred and ninety-four.

Issues of stock
and bonds, etc.

SECTION 4. This act shall take effect upon its passage.

Approved June 9, 1896.

Chap. 545 AN ACT TO PROVIDE FOR THE INTERIOR FINISH OF MEMORIAL HALL
IN THE STATE HOUSE EXTENSION.

Be it enacted, etc., as follows:

Interior finish
of Memorial
Hall.

State House
Construction
Loan.

Sinking fund.

SECTION 1. To provide for the interior finishing of Memorial Hall, and the approaches thereto, in the state house extension, so-called, the treasurer and receiver general is hereby authorized, with the approval of the governor and council, to issue scrip or certificates of indebtedness to an amount not exceeding two hundred and fifty thousand dollars, for a term not exceeding twenty years, the same to be in addition to the state house construction loan authorized by chapter three hundred and ninety-four of the acts of the year eighteen hundred and eighty-nine, and chapter four hundred and ninety of the acts of the year eighteen hundred and ninety-five. Said scrip or certificates of indebtedness shall be issued as registered bonds or with interest coupons attached, and shall bear interest at a rate not exceeding four per cent. per annum, payable semi-annually on the first days of April and October in each year, shall be redeemable at maturity in the gold coin of the United States or its equivalent, shall be designated on the face thereof, State House Construction Loan, shall be countersigned by the governor, and shall be deemed a pledge of the faith and credit of the Commonwealth; and said scrip or certificates of indebtedness shall be sold in such instalments as the governor and council may determine, by public advertisement to the lowest bidder, at not less than the par value thereof, or in such other manner as the governor and council may determine to be for the best interest of the Commonwealth. The sinking fund established by chapter three hundred and ninety-four of the acts of the year eighteen hundred and eighty-nine, as extended by chapter thirty-nine of the acts of the year eighteen hundred and ninety-five, shall also be maintained for the purpose of extinguishing bonds issued under the authority of this act, and the treasurer and receiver general shall apportion thereto from year to year an amount sufficient with the accumulations of said fund to extinguish at maturity the debt incurred by said bonds. The amount necessary to meet the annual sinking fund requirements and to pay the interest on said bonds shall be included in and be made a part of the annual state tax levy, and any premium over the par value of said bonds received from the

sale thereof shall form part of the sinking fund for their redemption.

SECTION 2. The state house construction commissioners shall submit detailed drawings of the proposed interior finish of Memorial Hall to the governor and council, who, before their approval of the same, shall be satisfied that the plan for the interior finishing can be carried out for the sum herein authorized.

Drawings, etc., subject to approval of governor and council, etc.

SECTION 3. This act shall take effect upon its passage.

Approved June 9, 1896.

AN ACT RELATIVE TO THE LICENSING OF ENGINEERS AND FIREMEN
OF STATIONARY ENGINES.

Chap. 546

Be it enacted, etc., as follows:

SECTION 1. It shall be unlawful for any person to have charge of, or to operate a steam boiler or engine in this Commonwealth (except locomotive boilers and engines, boilers in private residences, boilers under the jurisdiction of the United States, boilers used for agricultural purposes exclusively, boilers of less than eight horse power, and boilers used for heating purposes only, provided with a device approved by the chief of the district police limiting the pressure carried to fifteen pounds to the square inch), unless he holds a license as hereinafter provided; and it shall be unlawful for any owner or user of any steam boiler or engine (other than those above excepted) to operate or caused to be operated a steam boiler or engine, for a period of more than one week, without a duly licensed engineer or fireman in charge: *provided, however*, that every person who has been employed continuously as a steam engineer in this Commonwealth for the period of five years next prior to the passage of this act, and who files with his application a certificate of such fact under oath, accompanied by a statement from his employer or employers verifying the same fact, shall be entitled to a license without further examination.

Persons in charge of certain steam boilers, etc., to be licensed.

SECTION 2. Any person desiring to act as an engineer or fireman, shall make application for a license to so act to an examiner of engineers, upon blanks to be furnished by the examiner, and if upon examination the applicant is found trustworthy and competent, a license shall be granted to him. Such license shall continue in force for three years, unless for a sufficient cause, affecting the

Granting of licenses, etc.

trustworthiness or competency of the person licensed, and after a hearing, the same is sooner revoked; and the said license unless so revoked shall at the end of said three years be renewed by an examiner of engineers, upon application, and without examination.

Applications.

SECTION 3. All applications for licenses shall be accompanied by a fee of one dollar, and a like sum shall be paid for all renewals of licenses. All fees so paid shall be accounted for by the examiners to the chief of the district police, who shall return the same monthly to the treasurer of the Commonwealth.

Examiners, etc.

SECTION 4. The members of the boiler inspection department of the district police shall act as examiners, and shall enforce the provisions of this act, and the governor of the Commonwealth is authorized to appoint two additional inspectors to act as examiners of engineers, under this act, at an annual salary of fifteen hundred dollars and their actual travelling and necessary expenses.

Persons dissatisfied may appeal, etc.

SECTION 5. Any person dissatisfied with the action of any examiner in refusing or revoking a license, may appeal from his decision to the five other examiners, who shall together act as a board of appeal, and a majority of whom shall have power to hear the parties and pass upon the subjects of appeal. The decision of said majority of the remaining examiners so acting shall be final, if approved by the chief of the district police.

Persons affected to be notified by examiners.

SECTION 6. It shall be the duty of the examiners to notify every person whose names and addresses are known to them, and who will require licenses under the provisions of this act, to apply for said licenses, and to give such persons a reasonable opportunity to be examined within the city or town where they reside or are employed.

Penalty.

SECTION 7. Whoever intentionally violates the provisions of section one of this act shall be punished by fine not exceeding three hundred dollars, or by imprisonment not exceeding three months.

Repeal, etc.

SECTION 8. All acts or parts of acts inconsistent herewith are hereby repealed. The provisions of this act, so far as they are the same as those of chapter four hundred and seventy-one of the acts of the year eighteen hundred and ninety-five, shall be construed as a continuation of that chapter and not as new enactments.

SECTION 9. This act shall take effect upon its passage.

Approved June 9, 1896.

AN ACT RELATIVE TO REGISTRATION IN THE CITY OF BOSTON.

Chap. 547

Be it enacted, etc., as follows :

SECTION 1. The board of election commissioners of the city of Boston shall cause to be prepared books for the registration required by section six of chapter four hundred and forty-nine of the acts of the year eighteen hundred and ninety-five, as amended by chapter three hundred and sixty-three of the acts of the year eighteen hundred and ninety-six, to be made of the qualified male voters of said city between the fifteenth day of June and the first day of October in the year eighteen hundred and ninety-six and in every tenth year thereafter. And said board shall provide books for the registration of the qualified male voters registered between the years in which a new registration is made as provided by said chapter four hundred and forty-nine, as amended by chapter three hundred and sixty-three of the acts of the year eighteen hundred and ninety-six. Said books shall be known as registers and shall be so arranged as to admit of the entering under the name of each street or avenue in the precinct and the number of each dwelling in any such street or avenue, if there be a number thereto, and if there be no number, under such other definite description of the location of the dwelling place as shall enable it to be readily ascertained, found and located, of the names of all male persons resident in each dwelling in each of said precincts who shall apply for registration. Such register shall be ruled in parallel columns in which opposite to and against the name of every applicant shall be entered the words and figures hereinafter provided in this chapter, and shall on the inside be in form substantially as follows : —

General
registration of
voters in
Boston, etc.

Street.

Form of
register.

Date of Applica- tion.	No. of Residence or other Desig- nation May 1, 1894.	Name.	Signature.	TERM OF RESIDENCE.			Occupation.	Place of Occu- pation.	Place of Birth.	Court.	Date of Papers.	PERSONAL DESCRIPTION.			Present Resi- dence.
				State.	City.	Ward.						Age.	Height.	Weight.	

Applicants for
registration to
be examined,
etc.

SECTION 2. At the times fixed by law when voters may be registered, said board or its deputies shall then examine each applicant under oath as to his qualifications as a voter, and unless otherwise provided herein shall immediately and in the presence of the applicant enter in the registers, to be made and furnished as provided in this act, the statements below set forth and in the manner following, namely: —

First, Under the column headed "Date of Application", the month, day and year when the applicant presented himself and was adjudged a qualified voter.

Second, Under the column headed "No. of Residence or other Designation, May 1, 1896", the name and number of the street, avenue or other location of the dwelling, if there is a number, or if there is no number such clear and definite description of the place of said dwelling as shall enable it to be readily ascertained, fixed and determined; in case there is more than one house at the number given by the applicant as his place of residence, in which house he resides, and if there is more than one family residing in said house, he shall state the floor on which he resides.

Third, Under the column headed "Name", the name of the applicant, giving in full the surname and the Christian name or the name by which he is generally known, and the initial of every other name which he may have; but the names of all voters residing in the same dwelling shall follow each other and shall be under the street and house number or other description, as provided, of the dwelling.

Fourth, Under the column headed "Signature", the applicant shall be required to write his name on a line with the statements as herein set forth.

Fifth, Under the subdivisions of the general column headed "Term of Residence", the periods by months or years stated by the applicant in response to the inquiries made for the purpose of ascertaining his qualification and filling such column.

Sixth, Under the columns headed "Occupation", and "Place of Occupation", a statement giving these facts in full.

Seventh, Under the column headed "Place of Birth", the city or town, county and state, country, kingdom, empire or domain, as the fact may be, where he was born, shall be stated by the applicant.

Eighth, Under the column headed "Court", the designation of the court in which, if the applicant is naturalized, such naturalization was had as the same appears by the evidence of citizenship submitted or presented by the applicant in compliance with the requirements of this act.

Ninth, Under the column headed "Date of Papers", the date of naturalization, if the applicant is naturalized, as the same appears by the evidence of citizenship submitted or presented by the applicant in compliance with the requirements of this act.

Tenth, Under the column headed "Personal Description", a statement containing the age, approximate height and weight of the applicant.

Eleventh, Under the column headed "Present Residence", a statement containing the residence of the applicant at the date of registration.

SECTION 3. The name of no person shall at any time be entered upon said register unless the voter shall personally appear before said board or one of its deputies, and be duly qualified according to the requirements of law. Such list when completed shall constitute and be known as the general register of the qualified voters of said city. It shall be the duty of every naturalized citizen before being registered to produce to said board or to its duly qualified deputies, his naturalization papers, or a certified copy of the court record thereof, for their inspection, and to make oath before them that he is the person purporting to be naturalized by the papers so produced, and any person knowingly taking a false oath before said board or before any of its members or deputies shall be deemed guilty of perjury. If at any time prior to the day of election said board shall be satisfied that any person otherwise eligible as a voter in said city has by mistake been registered in the wrong precinct and is entitled to be registered in another precinct in the same ward, they shall, after a hearing, strike his name from the register of the first precinct and enter the same on the register of such other precinct, with a memorandum of such removal.

Voters desiring to register to appear personally, etc.

SECTION 4. At the close of registration in the year eighteen hundred and ninety-six said board shall cause to be made, by precincts, lists of the qualified voters of said city of such size as to contain not less than two hundred names each and so prepared that they may be used at each

Lists of voters to be made by precincts, etc.

election in said city, in the following form, and shall enter therein the names of the persons registered under the head of the streets or avenues in which they reside, their place of residence, in numerical order, length of time of residence in the state, in the city and in the ward; and in the column headed "Personal Description", their age, approximate height and weight. Such lists shall be in form substantially as follows:—

Form of lists.

Name of street or avenue _____

NAME.	Residence, Number or other Designation May 1, 1896.	TERM OF RES- DENCE.			PERSONAL DE- SCRIPTION.		
		State.	City.	Ward.	Age.	Height.	Weight.

Lists to be
certified, etc.

SECTION 5. Each of said lists when completed shall be signed and certified by said board and shall be preserved by them for use on the day of election, by the election officers, as a check list in their respective precincts, and every person upon applying to vote shall be required to write his name in a book prepared for the purpose, upon request of any election officer, except that a voter who declares under oath to the presiding officer that he was a voter before the first day of May in the year eighteen hundred and fifty-seven and cannot read or write, or who declares that by blindness or other physical disability he is unable to write his name, shall be exempt from the provisions of this section. No check list shall be used in any precinct at any election except the lists prepared in accordance with the provisions of this act.

Copies of pre-
cinct lists to be
distributed, etc.

SECTION 6. Said board shall prepare in pamphlet form, at least one week prior to the annual state and city election, not less than fifty copies of said lists of each precinct, omitting therefrom everything except the name and residence of the qualified voters of said precinct, and, prior to the day of each election, said copies shall be distributed in such manner as said board may determine. Said board shall also, not earlier than five o'clock in the afternoon on the day before each election, distribute to

the officers of the two principal political committees each fifteen copies of each precinct list as prepared for use as check lists at the polls.

SECTION 7. Any person who gives false answers to any of the questions asked by the said board or by its deputies under the authority of this act, or who attempts to register illegally or under an assumed name, or under the name of any other person than himself, or who votes or attempts to vote upon the name of any other person than himself upon election day, shall be punished by imprisonment in the state prison for not more than three years, or in the house of correction for not less than six months.

Penalty for giving false answer, etc.

SECTION 8. It shall be the duty of every election officer in said city to enforce upon election day the requirements of this act and of all other statutes relating to elections, and any election officer knowingly permitting or aiding in any violation of said requirements shall be punished by imprisonment in the state prison for not more than three years, or in the house of correction for not less than six months.

Duties of election officers.

SECTION 9. Chapter four hundred and twenty-five of the acts of the year eighteen hundred and ninety-five and all acts and parts of acts so far as they are inconsistent with the provisions of this act are hereby repealed; and all ordinances and parts of ordinances of said city so far as they are inconsistent with the provisions of this act are hereby annulled; and said city shall not appoint any officer or pass any ordinance inconsistent with the provisions of this act. The provisions of this act shall not be construed to apply to any person exempt from the operation thereof under the constitution or amendments thereto.

Repeal, etc.

SECTION 10. This act shall take effect upon its passage.

Approved June 9, 1896.

AN ACT MAKING APPROPRIATIONS FOR EXPENSES AUTHORIZED BY THE PRESENT LEGISLATURE AND FOR CERTAIN OTHER EXPENSES AUTHORIZED BY LAW.

Chap. 548

Be it enacted, etc., as follows:

SECTION 1. The sums hereinafter mentioned are appropriated, to be paid out of the treasury of the Commonwealth from the ordinary revenue, for the purposes specified in certain acts and resolves of the present year, and for certain other expenses authorized by law, to wit:—

Appropriations.

Ballot law
commission.

For compensation and expenses of the state ballot law commission, as authorized by chapter three hundred and eighty-three of the acts of the present year, a sum not exceeding five hundred dollars, the same to be in addition to the amounts appropriated by chapter forty-two of the acts of the present year.

Worcester Poly-
technic Insti-
tute.

For scholarships at the Worcester Polytechnic Institute, as authorized by chapter four hundred and seven of the acts of the present year, the sum of three thousand dollars.

State pension
agent.

For clerical assistance, traveling expenses and other necessary expenses of the state pension agent, a sum not exceeding five hundred dollars, the same to be in addition to the amount appropriated for the same purpose by chapter thirty-four of the acts of the present year.

Supplement to
Public Statutes.

For expenses in connection with the preparation and publication of a second supplement to the Public Statutes, as authorized by chapter three hundred and sixty-three of the acts of the year eighteen hundred and ninety-five, a sum not exceeding ten thousand dollars, the same to be in addition to the five thousand dollars appropriated by chapter four hundred and seventy-three of the acts of the year eighteen hundred and ninety-five.

School attend-
ance and
truancy.

For expenses in connection with a plan for carrying into execution the recommendations of the state board of education relative to school attendance and truancy, as authorized by chapter ninety-six of the resolves of the present year, a sum not exceeding five hundred dollars.

Massachusetts
Charitable Eye
and Ear Infirmary.

For the construction of a new hospital building for the Massachusetts Charitable Eye and Ear Infirmary, as authorized by chapter ninety-seven of the resolves of the present year, a sum not exceeding fifty thousand dollars.

Massachusetts
Agricultural
College.

For certain repairs and improvements and for the purchase of land at the Massachusetts Agricultural College, as authorized by chapter ninety-eight of the resolves of the present year, a sum not exceeding thirteen thousand nine hundred dollars.

Exercises com-
memorative of
Governor
Greenhalge.

For publishing a report of the public exercises commemorative of Frederic T. Greenhalge, late governor of the Commonwealth, as authorized by chapter ninety-nine of the resolves of the present year, a sum not exceeding one thousand dollars.

Common-
wealth's flats in
South Boston.

For the further improvement of the Commonwealth's flats at South Boston, as authorized by chapter four hun-

ired and forty-two of the acts of the present year, a sum not exceeding fifty thousand dollars.

For expenses in connection with the protection of the public health in the valleys of the Concord and Sudbury rivers, as authorized by chapter four hundred and forty-six of the acts of the present year, a sum not exceeding three thousand dollars, the same to be in addition to the unexpended balance of the sum appropriated under chapter four hundred and ninety-two of the acts of the year eighteen hundred and ninety-four.

Valleys of Concord and Sudbury rivers.

For the payment of expenses in connection with the establishment of the boundary lines between the Commonwealth of Massachusetts and the states of New Hampshire and Vermont, as authorized by chapter one hundred and two of the resolves of the present year, a sum not exceeding five thousand dollars.

Boundary lines, etc.

For Elijah Smith of Easton, as authorized by chapter one hundred and three of the resolves of the present year, the sum of one hundred dollars.

Elijah Smith.

For John H. Lamson, as authorized by chapter one hundred and four of the resolves of the present year, the sum of one hundred and thirty-five dollars.

John H. Lamson.

For James N. Tolman, as authorized by chapter one hundred and five of the resolves of the present year, the sum of six hundred dollars, payable to him monthly out of the treasury of the Commonwealth, and, in case of his death, the same sum per month to his widow.

James N. Tolman.

For Ellis R. Holbrook, as authorized by chapter one hundred and six of the resolves of the present year, the sum of one hundred and twenty-five dollars.

Ellis R. Holbrook.

For necessary expenses, including postage, stationery and other expenses, of the state military and naval historian, a sum not exceeding two hundred dollars, the same to be in addition to the amount authorized by chapter eighty-eight of the acts of the present year.

State military and naval historian.

For expenses of summoning witnesses before committees of the present legislature, and for fees of such witnesses, a sum not exceeding two hundred dollars, the same to be in addition to the amount appropriated by chapter one of the acts of the present year.

Witnesses before legislative committees.

For authorized expenses of committees of the present legislature, to include clerical assistance, stenographers and counsel fees to committees authorized to employ the same, a sum not exceeding fifteen thousand dollars, the

Expenses of committees.

same to be in addition to the amount appropriated by chapter one of the acts of the present year.

William
Gibbons.

For William Gibbons, as authorized by chapter one hundred and seven of the resolves of the present year, the sum of one hundred and twenty-five dollars.

Sylvester W.
Russell.

For Sylvester W. Russell, as authorized by chapter one hundred and eight of the resolves of the present year, the sum of one hundred dollars.

Olive A.
Churchill.

For Olive A. Churchill, widow of S. Sylvester Churchill, as authorized by chapter one hundred and nine of the resolves of the present year, the sum of one hundred dollars.

Giles R.
Alexander.

For Giles R. Alexander, as authorized by chapter one hundred and ten of the resolves of the present year, the sum of one hundred and sixty dollars.

Commission on
revising laws
relating to
taxation.

For the expenses of a commission to inquire into the expediency of revising and amending the laws of the Commonwealth relating to taxation, as authorized by chapter one hundred and eleven of the resolves of the present year, a sum not exceeding five thousand dollars.

Forms of
pleadings in
criminal cases.

For expenses in connection with the preparation of the schedule of forms of pleadings in criminal cases, as authorized by chapter one hundred and thirteen of the resolves of the present year, a sum not exceeding one thousand dollars.

Fish hatchery
in western part
of the Com-
monwealth.

For the establishment of a fish hatchery in the western part of the Commonwealth, as authorized by chapter one hundred and fourteen of the resolves of the present year, a sum not exceeding three thousand dollars.

Bounty to
certain veterans
in Bridgewater.

For Charles W. Wilbur, the sum of one hundred and sixty dollars; for Marcus Holmes, the sum of one hundred and sixty dollars; for Freeman Holmes, the sum of one hundred and sixty dollars; for Charles E. Porcheron, the sum of one hundred and sixty dollars; for Cornelius B. Holmes, the sum of one hundred and sixty dollars; for William Holmes, the sum of one hundred and sixty dollars; for Preston Hooper, the sum of one hundred and sixty dollars; for Francis E. Allen, the sum of one hundred and sixty dollars; for George F. Dunbar, the sum of one hundred and sixty dollars; all of which is authorized by chapter one hundred and fifteen of the resolves of the present year.

Attorney-
general.

For the payment of expenses to carry out the act relative to the duties and authority of the attorney-general,

as provided for by chapter four hundred and ninety of the acts of the present year, a sum not exceeding thirty thousand dollars.

To enable cities and towns to use the McTammany voting machines in state, city and town elections, as authorized by chapter four hundred and ninety-eight of the acts of the present year, a sum not exceeding twelve thousand five hundred dollars.

McTammany
voting ma-
chines.

For Andrew J. Morton, as authorized by chapter one hundred and sixteen of the resolves of the present year, the sum of one thousand dollars.

Andrew J.
Morton.

For Edwin A. Andrews, the sum of three hundred and sixty dollars; for Elizabeth J. Barron, Bertha M. Armstrong, heirs at law of Henry Barron, the sum of five hundred and forty-seven dollars and fifty cents; for Eleanor Batchelder, William B. Batchelder, heirs at law of George W. Batchelder, the sum of four hundred and thirty-four dollars; for Abbie A. Chandler, Frank A. Chandler, Herbert W. Chandler, Henry I. Chandler, heirs at law of Roswell W. Chandler, the sum of one hundred and eighty dollars; for Jacob M. Ellis, the sum of four hundred and fifty-seven dollars and fifty cents; for John C. Grover, the sum of three hundred and fifty-six dollars; for Henry H. Jones, the sum of three hundred and sixty dollars; for Cushing W. Littlefield, the sum of one hundred and eighty-six dollars; for Sherman Lynde, the sum of five hundred and fifty-eight dollars; for James Macey, the sum of three hundred and sixty-three dollars; for Horace E. Morse, sole heir at law of George J. Morse, the sum of five hundred and thirty-five dollars; for Thomas J. Munn, the sum of three hundred and sixty dollars; for Torrey Peabody, Jr., the sum of five hundred and thirty-two dollars and fifty cents; for Daniel S. Pratt, the sum of three hundred and sixty dollars; for Albert F. Shelton, the sum of one hundred and seventy-nine dollars; for Hannah G. Simonds, sole heir of Joseph R. Simonds, the sum of five hundred and forty dollars; for Samuel Sprague, Jr., the sum of three hundred and seventy-two dollars; for Thomas B. Stantial, the sum of one hundred and forty-nine dollars; for Sarah E. Stilphen, Elva F. Stilphen, Florence A. Stilphen, heirs at law of John E. Stilphen, the sum of five hundred and sixty-four dollars; for George A. Tainter, the sum of three hundred and ten dollars; for Edward H. Whitney, the sum of three hun-

Bounty to
certain veterans
in Melrose.

dred and sixty-one dollars; for William Wyman, the sum of three hundred and twenty-six dollars and sixty-seven cents; all of which is authorized by chapter one hundred and seventeen of the resolves of the present year.

Lyman school
for boys.

To provide for the purchase of additional property for the Lyman school for boys, as authorized by chapter one hundred and eighteen of the resolves of the present year, a sum not exceeding eighty-five hundred dollars.

Samuel F.
Smith.

To provide for placing in the state house a bust of Samuel F. Smith, author of the hymn "America", as authorized by chapter one hundred and nineteen of the resolves of the present year, a sum not exceeding one thousand dollars.

Construction of
better roads.

For expenses in connection with aiding towns in the construction and maintenance of better roads, as authorized by chapter five hundred and thirteen of the acts of the present year, a sum not exceeding twelve thousand dollars.

Bounty to
certain veterans
in Stoneham.

For Chester W. Green, the sum of one hundred and twenty-five dollars; for Henry Howard, the sum of one hundred and twenty-five dollars; for John E. La Claire, the sum of one hundred and twenty-five dollars; for Jason D. Washburn, the sum of one hundred and twenty-five dollars; for Peter Nolon, the sum of one hundred and twenty-five dollars; for Leonard F. Green, the sum of one hundred and twenty-five dollars; for Hummington Porter, the sum of one hundred and twenty-five dollars; for Edward McGrady, the sum of one hundred and twenty-five dollars; for James H. Broughton, the sum of one hundred and twenty-five dollars; for William O. Ward, the sum of one hundred and twenty-five dollars; for Charles L. Nash, the sum of one hundred and twenty-five dollars; for Oliver L. Childs, the sum of one hundred and twenty-five dollars; for William H. Burdick, the sum of one hundred and twenty-five dollars; for Solon A. Bryant, the sum of one hundred and twenty-five dollars; for Samuel Berry, Jr., the sum of one hundred and twenty-five dollars; for Albert Jenkins, the sum of one hundred and twenty-five dollars; for Benjamin W. Jones, the sum of one hundred and twenty-five dollars; for Thomas Kelley, the sum of one hundred and twenty-five dollars; for Samuel I. Dodge, the sum of one hundred and twenty-five dollars; for Augustus F. Stevens, the sum of one hundred and twenty-five dollars; for David H. Tilton,

the sum of one hundred and twenty-five dollars; for Eben B. Lawrence, the sum of one hundred and twenty-five dollars; for Benjamin J. Burdick, the sum of one hundred and twenty-five dollars; for George W. Young, the sum of one hundred and twenty-five dollars; for William I. Marden, the sum of one hundred and twenty-five dollars; for Nathan M. Walton, the sum of one hundred and twenty-five dollars; for Henry Poor, the sum of one hundred and twenty-five dollars; for Andrew J. Greene, the sum of one hundred and twenty-five dollars; for George W. Marsh, the sum of one hundred and twenty-five dollars; for Edward W. Blandin, the sum of one hundred and twenty-five dollars; for John E. Frederick, the sum of one hundred and twenty-five dollars; all of which is authorized by chapter one hundred and twenty of the resolves of the present year.

For Calvin Francis Harlow, the sum of one hundred and twenty-five dollars, as authorized by chapter one hundred and twenty-one of the resolves of the present year.

Calvin Francis Harlow.

To provide temporary accommodations for the senate and its officers in that part of the recent addition to the state house which is known as the Bryant addition, as authorized by chapter one hundred and twenty-four of the resolves of the present year, a sum not exceeding ten thousand dollars.

Accommodations for the senate, etc.

For the salaries and traveling expenses of two additional associate justices of the superior court, as authorized by an act of the present year, a sum not exceeding four thousand dollars.

Associate justices of superior court.

For salaries and expenses of the two additional inspectors in the department of the district police, to act as examiners of engineers, as provided for in an act passed the present year, entitled "An Act relative to the licensing of engineers and firemen of stationary engines", a sum not exceeding twenty-five hundred dollars.

Examiners of engineers.

SECTION 2. This act shall take effect upon its passage.

Approved June 9, 1896.

AN ACT TO PROVIDE FOR FURNISHING THE BRYANT ADDITION, SO-CALLED, OF THE STATE HOUSE EXTENSION. *Chap. 549*

Be it enacted, etc., as follows:

SECTION 1. The state house construction commissioners are hereby authorized to properly provide the rooms

Furnishing of Bryant addition to state house.

in the Bryant addition, so-called, of the extension of the state house, with shelving, cases and all necessary furniture and fittings, ready for occupancy by the various departments to which they have been or may be assigned, and for such purpose may expend a sum not exceeding two hundred thousand dollars.

To be paid from
state house
loans.

SECTION 2. All expenses incurred under this act shall be paid from the state house loan of nineteen hundred and one, authorized by chapter three hundred and forty-nine of the acts of the year eighteen hundred and eighty-eight, chapter three hundred of the acts of the year eighteen hundred and eighty-nine, chapter four hundred and thirty-eight of the acts of the year eighteen hundred and ninety-two, and chapter five hundred and thirty-two of the acts of the year eighteen hundred and ninety-four.

SECTION 3. This act shall take effect upon its passage.

Approved June 9, 1896.

Chap. 550 AN ACT RELATIVE TO THE METROPOLITAN PARKS AND BOULEVARDS.

Be it enacted, etc., as follows:

Taking of lands,
etc., by metro-
politan park
commission.

SECTION 1. The metropolitan park commission shall, prior to the first day of January in the year nineteen hundred, take all the lands which it is authorized to take, and shall lay out and construct all the parks, reservations, boulevards and other works which it is authorized to lay out and to construct, and the treasurer of the Commonwealth shall pay from the proceeds of the loans authorized for the purpose of meeting the expense of taking said lands, of laying out said parks and reservations and of constructing said boulevards and other works, or from the proceeds of any of said loans, all moneys required prior to and including the first day of January in the year eighteen hundred and ninety-six to and including said first day of January in the year nineteen hundred, to meet the interest and sinking fund requirements for said loans as estimated by said treasurer and to meet the cost of maintenance and operation of said parks, reservations, boulevards and other works as annually authorized by the legislature, and to meet such amount as has heretofore been paid from the treasury of the Commonwealth for such cost.

Commissioners
to determine
proportion to be
paid by cities
and towns.

SECTION 2. The supreme judicial court sitting in equity shall in the year nineteen hundred, and in every fifth year thereafter, on the application of said commissioners or of

the attorney of either of the cities or towns in the metropolitan parks district, and after notice to each of said cities and towns, appoint three commissioners, neither of whom shall be a resident of either of said cities and towns, who shall, after such notice and hearing as they shall deem sufficient and in such manner as they shall deem just and equitable, determine the proportions in which each of said cities and towns shall pay money into the treasury of the Commonwealth each year for the term of five years, beginning with the first day of January in each year in which such commissioners are required to be appointed, to meet said interest, sinking fund requirements, and cost, for such year, and any deficiency in the amount previously paid in as found by said treasurer, and shall return their award into said court: *provided, however,* that the commissioners shall fix and return the proportion to be paid by the city of Boston for each year of the first of said terms at fifty per cent. Every such award when accepted by the court shall be a final and conclusive adjudication for the term, of all matters referred to the commissioners, and shall be binding upon all parties.

Proviso.

SECTION 3. The treasurer of the Commonwealth shall in the year nineteen hundred, and in each year thereafter, estimate, in accordance with the proportions determined as aforesaid, the several amounts required during the year beginning with the first day of January, from the cities and towns aforesaid, to meet said interest, sinking fund requirements, and cost, for such year, and deficiency, if any, and shall include the amount required from a city or town, in, and make it a part of, the sum to be paid by such city or town as its annual state tax, and the same shall be paid by the city or town into the treasury of the Commonwealth at the time required for the payment, and as a part, of its state tax: *provided, however,* that the moneys to be paid into the treasury of the Commonwealth each year, and the amount to be paid by the Commonwealth and made a part of the annual state tax levy, shall be as specified in section ten of chapter four hundred and seven of the acts of the year eighteen hundred and ninety-three, and in section eight of chapter two hundred and eighty-eight of the acts of the year eighteen hundred and ninety-four.

Treasurer to estimate amounts to be paid each year, etc.

Proviso.

SECTION 4. Sections ten, eleven and twelve of chapter four hundred and seven of the acts of the year eighteen

Repeal, etc.

hundred and ninety-three, sections eight, nine and ten of chapter two hundred and eighty-eight of the acts of the year eighteen hundred and ninety-four, all acts in amendment of or in addition to said sections or either of them, and all other acts or parts of acts inconsistent with this act, are hereby repealed, and the treasurer of the Commonwealth shall not hereafter require the payment of, and no city or town shall hereafter pay, any money into the treasury of the Commonwealth under any determination or finding of any commission appointed under the provisions of said sections, or any of them.

SECTION 5. This act shall take effect upon its passage.

Approved June 9, 1896.

RESOLVES.

RESOLVE AUTHORIZING THE TREASURER TO BORROW MONEY IN Chap. 1 ANTICIPATION OF REVENUE.

Resolved, That the treasurer and receiver general be and he is hereby authorized to borrow, in anticipation of the receipts of the present year, such sums of money as may from time to time be necessary for the payment of the ordinary demands on the treasury, at any time before the expiration of fifteen days after the meeting of the next general court, at such rates of interest as shall be found necessary; and that he repay any sums he may borrow under this resolve as soon as money sufficient for the purpose, and not otherwise appropriated, shall be received into the treasury.

Treasurer may borrow money in anticipation of revenue.

Approved January 16, 1896.

RESOLVE RELATIVE TO THE PUBLICATION OF THE BULLETIN OF Chap. 2 COMMITTEE HEARINGS.

Resolved, That all bills contracted under the order authorizing the joint committee on rules to publish a bulletin of committee hearings and matters before committees shall be paid on approval of the sergeant-at-arms.

Bulletin of committee hearings.

Approved January 29, 1896.

RESOLVE TO CONFIRM THE ACTS OF LEWIS R. TUCKER AS A JUSTICE Chap. 3 OF THE PEACE.

Resolved, That all acts done by Lewis R. Tucker of Boston as a justice of the peace, between the eleventh day of April and the eighteenth day of October in the year eighteen hundred and ninety-five, are hereby confirmed and made valid to the same extent as though he had been during that time qualified to discharge the duties of said office.

Lewis R. Tucker, justice of the peace, acts confirmed.

Approved January 31, 1896.

Chap. 4 RESOLVE IN FAVOR OF NELLIE R. STEVENS, WIDOW OF EVERETT A STEVENS.

Nellie R.
Stevens.

Resolved, That there be allowed and paid out of the treasury of the Commonwealth to Nellie R. Stevens, widow of Everett A. Stevens late a member of the board of railroad commissioners, who died on the thirteenth day of July in the year eighteen hundred and ninety-five, the sum of sixteen hundred twenty-seven dollars and sixty-nine cents, being the amount of salary which said Everett A. Stevens would have been entitled to receive had he lived until the thirty-first day of December in the year eighteen hundred and ninety-five.

Approved January 31, 1896.

Chap. 5 RESOLVE PROVIDING FOR PRINTING EXTRA COPIES OF THE REPORT OF THE METROPOLITAN SEWERAGE COMMISSIONERS.

Report of
metropolitan
sewerage com-
missioners.

Resolved, That fifteen hundred extra copies of the seventh annual report of the board of metropolitan sewerage commissioners be printed, five hundred copies to be bound in cloth, to be distributed under the direction of said commissioners.

Approved February 6, 1896.

Chap. 6 RESOLVE TO CONFIRM THE ACTS OF THOMAS J. HOMER AS A NOTARY PUBLIC.

Thomas J.
Homer, notary
public, acts
confirmed.

Resolved, That all acts done by Thomas J. Homer of Boston in the county of Suffolk as a notary public, between the eighth day of August in the year eighteen hundred and ninety-five and the fourth day of January in the year eighteen hundred and ninety-six, are hereby confirmed and made valid to the same extent as though he had been during that time qualified to discharge the duties of said office.

Approved February 7, 1896.

Chap. 7 RESOLVE IN FAVOR OF THE WIDOW OF WILLIAM S. SHURTLEFF.

Widow of
William S.
Shurtleff.

Resolved, That there be allowed and paid out of the treasury of the Commonwealth to the widow of William S. Shurtleff late judge of probate and insolvency for the county of Hampden, who died on the fourteenth day of January in the year eighteen hundred and ninety-six, the sum of two thousand eight hundred and eighty-three dollars and thirty-eight cents, being the amount of salary

which the said William S. Shurtleff would have been entitled to receive had he lived until the thirty-first day of December in the year eighteen hundred and ninety-six.

Approved February 12, 1896.

RESOLVE IN FAVOR OF PATRICK BUCKLEY.

Chap. 8

Resolved, That there be allowed and paid out of the treasury of the Commonwealth to Patrick Buckley of North Adams, an annuity of two hundred dollars for the term of his natural life, in consideration of injuries sustained at the Hoosac tunnel while in the employment of the Commonwealth; said annuity to be payable in equal quarterly instalments. Chapter forty-five of the resolves of the year eighteen hundred and ninety-one is hereby repealed.

Patrick
Buckley.

Approved February 15, 1896.

RESOLVE IN FAVOR OF ELLA RAYMOND.

Chap. 9

Resolved, That there be allowed and paid out of the treasury of the Commonwealth an annuity of three hundred dollars to Ella Raymond of Lowell, whose husband was incapacitated from performing labor by reason of injuries received in the discharge of militia duty at Framingham. Said annuity shall commence on the first day of January in the year eighteen hundred and ninety-seven, shall be payable quarterly, and shall continue for the term of five years, should said Ella Raymond so long survive.

Ella Raymond.

Approved February 15, 1896.

RESOLVE IN FAVOR OF LAVINIA AGNES BARBOUR.

Chap. 10

Resolved, That there be allowed and paid out of the treasury of the Commonwealth to Lavinia Agnes Barbour, widow of James K. Barbour who was injured while defending property at the Cooper street riot, and who at the time of his decease was in receipt of an annuity from the Commonwealth, an annuity of two hundred dollars, to be paid to said widow during her natural life. Chapter eight of the resolves of the year eighteen hundred and ninety-five is hereby repealed.

Lavinia Agnes
Barbour.

Approved February 15, 1896.

RESOLVE TO CONFIRM THE ACTS OF ARTHUR L. HUNTINGTON AS
A JUSTICE OF THE PEACE.

Chap. 11

Resolved, That all acts done by Arthur L. Huntington as a justice of the peace, between the twenty-third day

Arthur L. Hunt-
ington, justice
of the peace,
acts confirmed.

of October in the year eighteen hundred and ninety-five and the sixteenth day of January in the year eighteen hundred and ninety-six, are hereby confirmed and made valid to the same extent as though he had been during that time qualified to discharge the duties of said office.

Approved February 15, 1896.

Chap. 12 RESOLVE PROVIDING FOR THE EXPENSES OF THE MASSACHUSETTS HIGHWAY COMMISSION.

Massachusetts
highway com-
mission.

Resolved, That there be allowed and paid out of the treasury of the Commonwealth a sum not exceeding twenty-five thousand dollars, to meet the expenses of the Massachusetts highway commission, pending the action of the legislature on the proposition to continue the building of state highways and the issue of a loan for meeting the expenses thereof. Upon the issue of such a loan the treasury shall be reimbursed for all expenses incurred under the authority of this resolve.

Approved February 15, 1896.

Chap. 13

RESOLVE IN FAVOR OF JAMES A. GRANT.

James A.
Grant.

Resolved, That there be allowed and paid out of the treasury of the Commonwealth to James A. Grant, of Concord, who, while in the performance of his duty as watchman at the Massachusetts reformatory, was totally disabled from performing manual labor, in consequence of an assault made upon him by a prisoner in said institution on the seventeenth day of March in the year eighteen hundred and ninety-four, an annuity of three hundred and sixty dollars during his natural life, payable in equal quarterly instalments.

Approved February 25, 1896.

Chap. 14 RESOLVE TO CONFIRM THE ACTS OF HENRY P. FIELD AS A JUSTICE OF THE PEACE.

Henry P. Field,
justice of the
peace, acts
confirmed.

Resolved, That all the acts done by Henry P. Field of Northampton as a justice of the peace, between the twenty-third day of October in the year eighteen hundred and ninety-five and the eleventh day of January in the year eighteen hundred and ninety-six, are hereby confirmed and made valid to the same extent as though he had been during that time qualified to discharge the duties of said office.

Approved February 25, 1896.

RESOLVE TO CONFIRM THE ACTS OF CHARLES C. HUTCHINSON AS A *Chap. 15*
JUSTICE OF THE PEACE.

Resolved, That all the acts done by Charles C. Hutch-
 inson of Winthrop as a justice of the peace, between the
 fourteenth day of September in the year eighteen hundred
 and ninety-four and the twenty-fifth day of January in the
 year eighteen hundred and ninety-six, are hereby con-
 firmed and made valid to the same extent as though he
 had been during that time qualified to discharge the duties
 of said office.

Charles C.
Hutchinson,
justice of the
peace, acts
confirmed.

Approved February 25, 1896.

RESOLVE PROVIDING FOR THE ACQUISITION OF LAND AND THE *Chap. 16*
ERECTION OF TABLETS OR MONUMENTS ON THE BATTLEFIELD OF
ANTIETAM.

Resolved, That a commission, to be composed of the
 following persons: — Samuel Dalton, Charles E. Davis,
 Jr., George L. Andrews, John W. Kimball, Augustus P.
 Martin, Dennis Linehan and Albert A. Pope, shall have
 authority to acquire, in the name of and for the Common-
 wealth, by purchase or otherwise, sufficient land on the
 field where occurred the battle of Antietam, in the state
 of Maryland, on the seventeenth day of September in the
 year eighteen hundred and sixty-two, and may erect
 thereon, or in other suitable places, suitable tablets,
 monuments, or a monument, to indicate the part taken by
 Massachusetts troops in that battle. The said commission
 shall serve without compensation but shall be reimbursed
 for necessary expenses actually incurred. The design for
 the tablets, monuments or monument shall be submitted
 to and approved by the governor and council, who shall
 approve all bills incurred before they are sent to the auditor
 for payment. The total expenditure under this resolve
 shall not exceed the sum of eight thousand dollars.
 Chapter ninety-two of the resolves of the year eighteen
 hundred and ninety-four is hereby repealed.

Battlefield of
Antietam.

Approved February 25, 1896.

RESOLVE RELATIVE TO THE SETTLEMENT OF CERTAIN CONTROVERSIES *Chap. 17*
CONCERNING FLATS IN CHARLES RIVER.

Resolved, That in the matter of the petition of Mary
 G. Fisk and others against the Commonwealth of Massa-
 chusetts, now pending in the superior court for the county

Flats in Charles
river.

of Suffolk, under chapter forty-nine of the resolves of the year eighteen hundred and ninety-five, the court may summon all persons who have claims to any of the land and flats referred to in said chapter to become parties to said pending cause, by publication in such newspaper as it may deem proper, once a week for three successive weeks, the last publication to be fourteen days at least before the return day of such summons; and the final judgment of the court in the cause, upon default of appearance of claimants within ten days after the return day, or after opportunity for hearing given to claimants who appear, shall, as against the Commonwealth, be binding on all persons, and said court shall have all the powers of a court of equity, so far as the same may be necessary, for a final determination of the question involved in the cause.

Approved February 26, 1896.

Chap. 18 RESOLVE IN FAVOR OF THE TRUSTEES OF THE SOLDIERS' HOME IN MASSACHUSETTS.

Soldiers' Home.

Resolved, That there be allowed and paid out of the treasury of the Commonwealth to The Trustees of the Soldiers' Home in Massachusetts, the sum of thirty thousand dollars, the same to be used towards the maintenance of a home for deserving soldiers and sailors.

Approved February 28, 1896.

Chap. 19 RESOLVE RELATIVE TO THE NEW STATE NORMAL SCHOOL AT SALEM.

Normal school at Salem.

Resolved, That there be allowed and paid out of the treasury of the Commonwealth for the purpose of the construction of the new state normal school building at Salem a sum not exceeding twenty-five thousand dollars, in anticipation of the proceeds of the sale of the present normal school building provided for by chapter ninety-one of the resolves of the year eighteen hundred and ninety-three.

Approved March 3, 1896.

Chap. 20 RESOLVE PROVIDING FOR THE CARE AND FURNISHING OF THE ARMORY OF THE MASSACHUSETTS VOLUNTEER MILITIA IN THE CITY OF FALL RIVER.

Armory at Fall River.

Resolved, That there be allowed and paid out of the treasury of the Commonwealth a sum not exceeding twenty-two hundred dollars, for the care, heating, light-

ing and furnishing of the armory in process of erection in the city of Fall River, until such time as the armory is completed and turned over to the Commonwealth.

Approved March 3, 1896.

RESOLVE RELATIVE TO THE FUNERAL OF FREDERIC T. GREENHALGE, LATE GOVERNOR OF THE COMMONWEALTH.

Chap. 21

Resolved, That there be allowed and paid out of the treasury of the Commonwealth such sum, to be expended by the lieutenant governor and the council, as in their opinion may be necessary for paying the funeral expenses of Frederic T. Greenhalge, late governor of the Commonwealth, and for showing proper respect to his memory.

Funeral of Frederic T. Greenhalge, late governor.

Approved March 6, 1896.

RESOLVE RELATIVE TO COMPLETING THE INDEX OF THE WAR RECORDS AND THE RE-WRITING OF THE WAR RECORD BOOKS IN THE OFFICE OF THE ADJUTANT GENERAL AND THE INSPECTOR GENERAL.

Chap. 22

Resolved, That there be allowed and paid out of the treasury of the Commonwealth the sum of twenty-five hundred dollars, in addition to the amount of fifteen hundred dollars appropriated by chapter one hundred and twenty-one of the resolves of the year eighteen hundred and ninety-five, to be expended under the direction of the adjutant general for the purpose of re-writing the record books for permanent preservation.

Index of war records.

Approved March 11, 1896.

RESOLVE TO PROVIDE FOR THE PUBLICATION OF AN OUTLINE OF LESSONS IN DRAWING FOR UNGRADED SCHOOLS.

Chap. 23

Resolved, That there be allowed and paid out of the treasury of the Commonwealth the sum of one hundred and fifty dollars, to be expended under the direction of the state board of education, for defraying the expense of publishing three thousand copies of "An Outline of Lessons in Drawing for Ungraded Schools", for the use of public schools.

Outline of lessons in drawing for ungraded schools.

Approved March 11, 1896.

RESOLVE RELATIVE TO THE TOPOGRAPHICAL SURVEY AND MAP OF MASSACHUSETTS.

Chap. 24

Resolved, That there be allowed and paid out of the treasury of the Commonwealth a sum not exceeding fifteen

Topographical survey.

thousand one hundred dollars, to be expended by the commissioners on the topographical survey, for the following purposes, to wit: For continuing the determination by triangulation of the boundary lines of the cities and towns in this Commonwealth, and marking state boundary lines, to include supplementary topographical map and leveling, a sum not exceeding twelve thousand dollars; for selling and distributing maps, a sum not exceeding one thousand dollars; for duplicating atlases of town boundary plans, a sum not exceeding two thousand dollars, and for instruments, a sum not exceeding one hundred dollars.

Approved March 19, 1896.

Chap. 25 RESOLVE TO PROVIDE FOR THE PUBLICATION OF A NEW EDITION OF THE COURSE OF STUDIES FOR ELEMENTARY SCHOOLS.

New edition of course of studies for elementary schools.

Resolved, That there be allowed and paid out of the treasury of the Commonwealth a sum not exceeding two hundred and fifty dollars, to be expended under the direction of the state board of education for the purpose of defraying the expense of publishing three thousand copies of the "Course of Studies for Elementary Schools", for the use of the public schools.

Approved March 19, 1896.

Chap. 26 RESOLVE PROVIDING FOR THE PRINTING OF FIVE HUNDRED EXTRA COPIES OF THE SEVENTH REPORT OF THE COMMISSIONER OF PUBLIC RECORDS.

Report of commissioner of public records.

Resolved, That five hundred additional copies of the seventh report of the commissioner of public records be printed, to be distributed under the direction of said commissioner.

Approved March 19, 1896.

Chap. 27 RESOLVE TO INSTRUCT THE METROPOLITAN PARK COMMISSION AND THE STATE BOARD OF HEALTH TO REPORT IN PRINT THE CONDITION OF THE CHARLES RIVER.

Report of park commission and state board of health on condition of Charles river.

Resolved, That the joint board consisting of the metropolitan park commission and the state board of health be instructed to report in print upon the condition of the Charles river and its banks, from the line between Waltham and Watertown and Mother brook in Dedham, as required by chapter five hundred and twenty-nine of the acts of the year eighteen hundred and ninety-four, and to have printed and bound in cloth two thousand copies of

said report, five hundred copies to be for the use of the legislature, five hundred copies for the use of the joint board, and the balance to be distributed under the direction of the secretary of the Commonwealth.

Approved March 19, 1896.

RESOLVE IN FAVOR OF LIZA HEMMENWAY, A MEMBER OF THE HASSANAMISCO TRIBE OF INDIANS.

Chap. 28

Resolved, That there be allowed and paid out of the treasury of the Commonwealth to the selectmen of Gardner an annuity of three hundred dollars a year, for the benefit of Liza Hemmenway, a survivor of the Hassanamisco tribe of Indians, for the rest of her natural life, to be expended by the selectmen for the support of said Liza Hemmenway and her husband Henry B. Hemmenway, beginning with the first day of January in the year eighteen hundred and ninety-six and payable in equal quarterly instalments.

Liza Hemmenway.

Approved March 21, 1896.

RESOLVE IN FAVOR OF THE MASSACHUSETTS CHARITABLE EYE AND EAR INFIRMARY.

Chap. 29

Resolved, That there be allowed and paid out of the treasury of the Commonwealth to the Massachusetts Charitable Eye and Ear Infirmary the sum of twenty thousand dollars, to be expended under the direction of the managers thereof for the charitable purposes of said infirmary during the present year.

Massachusetts Charitable Eye and Ear Infirmary.

Approved March 21, 1896.

RESOLVE IN AID OF THE FREE PUBLIC LIBRARY OF PERU.

Chap. 30

Resolved, That the board of library commissioners is hereby authorized to expend one hundred dollars in the purchase of books to aid in replacing the free public library of the town of Peru, which was destroyed by fire on the twenty-second day of February in the year eighteen hundred and ninety-five. *Approved March 25, 1896.*

Free public library of Peru.

RESOLVE TO PROVIDE FOR THE COLLECTION AND CIRCULATION OF INFORMATION RELATING TO ABANDONED FARMS.

Chap. 31

Resolved, That there be allowed and paid out of the treasury of the Commonwealth a sum not exceeding one thousand dollars, to be expended under the direction of the state board of agriculture in collecting all necessary

Information concerning abandoned farms.

information in regard to the opportunities for developing the agricultural resources of the Commonwealth through the repopulation of abandoned and partially abandoned farms, and causing the facts obtained and a statement of the advantages offered to be circulated where and in such manner as said board may consider for the best interests of the Commonwealth, in accordance with chapter two hundred and eighty of the acts of the year eighteen hundred and ninety-one. *Approved March 25, 1896.*

Chap. 32 RESOLVE TO PROVIDE FOR CERTAIN IMPROVEMENTS AT THE STATE LUNATIC HOSPITAL AT NORTHAMPTON.

Northampton
lunatic hospital.

Resolved, That there be allowed and paid out of the treasury of the Commonwealth a sum not exceeding twenty-five thousand dollars, to be expended at the state lunatic hospital at Northampton under the direction of the trustees thereof for the purpose of completing the reconstruction of the north wing of said hospital so as to conform to the south wing thereof.

Approved March 25, 1896.

Chap. 33 RESOLVE TO PROVIDE FOR PRINTING EXTRA COPIES OF THE REPORT OF THE MASSACHUSETTS HIGHWAY COMMISSION.

Report of
Massachusetts
highway com-
mission.

Resolved, That three thousand extra copies of the third annual report of the Massachusetts highway commission be printed and bound in cloth. Out of the number so printed each member of the present general court shall be entitled to receive ten copies and the residue shall be distributed under the direction of the commission.

Approved March 25, 1896.

Chap. 34 RESOLVE IN FAVOR OF MARY O. JOHNSON.

Mary O.
Johnson.

Resolved, That there be allowed and paid out of the treasury of the Commonwealth to Mary O. Johnson, mother of George H. Johnson late registrar of labor in the department of the civil service commissioners who died on the twenty-sixth day of January in the year eighteen hundred and ninety-six, the sum of eighteen hundred sixty dollars and twenty-two cents, being the amount of salary to which said George H. Johnson would have been entitled had he lived until the thirty-first day of December of the present year.

Approved March 25, 1896.

RESOLVE TO PROVIDE ADDITIONAL COPIES OF THE REPORT OF THE BOARD OF HARBOR AND LAND COMMISSIONERS.

Chap. 35

Resolved, That five hundred additional copies of the report of the board of harbor and land commissioners for the year eighteen hundred and ninety-five be printed and bound in cloth, to be distributed under the direction of said board.

Report of harbor and land commissioners.

Approved March 25, 1896.

RESOLVE RELATIVE TO FURNISHING CERTAIN BOOKS TO THE TOWN OF DUXBURY.

Chap. 36

Resolved, That the secretary of the Commonwealth is hereby directed to furnish to the town of Duxbury such volumes of the reports of decisions of the supreme judicial court as he now has on hand for distribution, to replace volumes destroyed at the burning of the almshouse in said town.

Furnishing certain books to town of Duxbury.

Approved March 25, 1896.

RESOLVE IN FAVOR OF MICHAEL HARRAN AND THE TOWN OF WESTFIELD.

Chap. 37

Resolved, That there be allowed and paid out of the treasury of the Commonwealth to Michael Harran of Westfield the sum of thirty-five dollars, being the value of a cow belonging to him which was condemned and killed by order of the board of health of said town; and the further sum of ten dollars to said town in reimbursement for expenses paid by its board of health in examining, killing and burying said cow.

Michael Harran and town of Westfield.

Approved March 25, 1896.

RESOLVE GRANTING A COUNTY TAX FOR THE COUNTY OF BARNSTABLE.

Chap. 38

Resolved, That the county commissioners for the county of Barnstable are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of twenty-four thousand dollars, to be expended for the following purposes, to wit: —

County tax, Barnstable.

For interest on county debt, a sum not exceeding one thousand dollars.

For reduction of county debt, a sum not exceeding nine hundred dollars.

For salaries of county officers and assistants, fixed by law, a sum not exceeding five thousand three hundred and fifty dollars.

County tax,
Barnstable.

For salaries and expenses of district and police courts, a sum not exceeding three thousand five hundred dollars.

For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, in excess of receipts, a sum not exceeding three thousand one hundred dollars.

For criminal costs in the superior court, in excess of receipts, a sum not exceeding two thousand dollars.

For civil expenses in supreme and superior courts, a sum not exceeding one thousand eight hundred dollars.

For transportation expenses of county and special commissioners, a sum not exceeding three hundred dollars.

For medical examiners, inquests, and commitment of the insane, a sum not exceeding seven hundred dollars.

For auditors, masters and referees, a sum not exceeding one hundred dollars.

For repairing, furnishing and improving county buildings, a sum not exceeding one thousand nine hundred dollars.

For care, fuel, lights and supplies in county buildings, other than jails and houses of correction, a sum not exceeding eight hundred and fifty dollars.

For highways, bridges and land damages, in excess of receipts, a sum not exceeding one thousand five hundred dollars.

For clerical assistance in county offices, in excess of receipts, a sum not exceeding four hundred and fifty dollars.

For truant schools, in excess of receipts, a sum not exceeding two hundred dollars.

For miscellaneous and contingent expenses, in excess of receipts, a sum not exceeding three hundred and fifty dollars.

Approved March 25, 1896.

Chap. 39

Robert T.
Swan.

RESOLVE IN FAVOR OF ROBERT T. SWAN.

Resolved, That there be allowed and paid out of the treasury of the Commonwealth to Robert T. Swan, commissioner of public records, the sum of fourteen dollars and fifty-six cents, to reimburse him for money paid to the state printers.

Approved March 25, 1896.

Chap. 40 RESOLVE GRANTING A COUNTY TAX FOR THE COUNTY OF DUKES COUNTY.

County tax,
Dukes County.

Resolved, That the county commissioners for the county of Dukes County are hereby authorized to levy as the

county tax of said county for the current year, in the manner provided by law, the sum of seven thousand five hundred dollars, to be expended for the following purposes, to wit:—

County tax,
Dukes County.

For interest on county debt, a sum not exceeding three hundred and fifty dollars.

For salaries of county officers and assistants, fixed by law, a sum not exceeding two thousand three hundred dollars.

For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, in excess of receipts, a sum not exceeding eight hundred dollars.

For criminal costs in superior court, in excess of receipts, a sum not exceeding seven hundred dollars.

For civil expenses in supreme and superior courts, a sum not exceeding one thousand dollars.

For trial justices, a sum not exceeding three hundred dollars.

For medical examiners, inquests, and commitment of the insane, a sum not exceeding one hundred dollars.

For repairing, furnishing and improving county buildings, a sum not exceeding two hundred dollars.

For care, fuel, lights and supplies in county buildings, other than jails and houses of correction, a sum not exceeding four hundred dollars.

For highways, bridges and land damages, in excess of receipts, a sum not exceeding one thousand dollars.

For clerical assistance in county offices, in excess of receipts, a sum not exceeding three hundred dollars.

For miscellaneous and contingent expenses, in excess of receipts, a sum not exceeding fifty dollars.

Approved March 28, 1896.

RESOLVE TO PROVIDE FOR FURNISHING THE NEW BUILDINGS OF
THE MEDFIELD INSANE ASYLUM. *Chap. 41*

Resolved, That there be allowed and paid out of the treasury of the Commonwealth a sum not exceeding thirty thousand dollars in addition to the amount authorized by chapter eighty-seven of the resolves of the year eighteen hundred and ninety-five, to be expended under the direction of the trustees of the Medfield insane asylum for the purpose of furnishing the buildings of said institution.

Buildings of the
Medfield insane
asylum.

Approved March 28, 1896.

Chap. 42 RESOLVE TO PROVIDE FOR ADDITIONAL COPIES OF THE REPORT OF THE BOARD OF REGISTRATION IN MEDICINE.

Report of board
of registration
in medicine.

Resolved, That one thousand additional copies of the second annual report of the board of registration in medicine be printed, to be distributed under the direction of said board.

Approved March 28, 1896.

Chap. 43 RESOLVE PROVIDING FOR ERECTING IN THE STATE HOUSE OR ON THE STATE HOUSE GROUNDS AN EQUESTRIAN STATUE, IN BRONZE, OF THE LATE MAJOR GENERAL JOSEPH HOOKER.

Statue of Major
General Joseph
Hooker.

Resolved, That there be allowed and paid out of the treasury of the Commonwealth, to be expended under the direction of the governor and council, a sum not to exceed fifty thousand dollars, for the purpose of erecting in Massachusetts an equestrian statue, in bronze, of the late Major General Joseph Hooker; said statue to be placed in or near the state house, on such site as the governor and council may designate.

Approved March 28, 1896.

Chap. 44 RESOLVE GRANTING A COUNTY TAX FOR THE COUNTY OF PLYMOUTH.

County tax,
Plymouth.

Resolved, That the county commissioners for the county of Plymouth are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of ninety-five thousand dollars, to be expended for the following purposes, to wit: —

For interest on county debt, a sum not exceeding five thousand five hundred dollars.

For reduction of county debt, a sum not exceeding fifteen thousand dollars.

For salaries of county officers and assistants, fixed by law, a sum not exceeding nine thousand five hundred dollars.

For salaries and expenses of district and police courts, a sum not exceeding twelve thousand five hundred dollars.

For salaries of jailers, masters and assistants, and for support of prisoners in jails and houses of correction, in excess of receipts, a sum not exceeding eleven thousand dollars.

For criminal costs in superior court, in excess of receipts, a sum not exceeding nine thousand dollars.

For civil expenses in supreme and superior courts, a County tax, Plymouth. sum not exceeding six thousand dollars.

For transportation expenses of county and special commissioners, a sum not exceeding five hundred dollars.

For medical examiners, inquests, and commitment of the insane, a sum not exceeding one thousand seven hundred dollars.

For auditors, masters and referees, a sum not exceeding two hundred dollars.

For repairing, furnishing and improving county buildings, a sum not exceeding two thousand dollars.

For care, fuel, lights and supplies in county buildings, other than jails and houses of correction, a sum not exceeding three thousand four hundred dollars.

For highways, bridges and land damages, in excess of receipts, a sum not exceeding nine thousand dollars.

For clerical assistance in county offices, in excess of receipts, a sum not exceeding one thousand dollars.

For law libraries, a sum not exceeding two thousand dollars.

For truant schools, in excess of receipts, a sum not exceeding one thousand two hundred dollars.

For miscellaneous and contingent expenses, in excess of receipts, a sum not exceeding five thousand five hundred dollars.

Approved March 28, 1896.

RESOLVE GRANTING A COUNTY TAX FOR THE COUNTY OF ESSEX

Chap. 45

Resolved, That the county commissioners for the county of Essex are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of two hundred and twenty-five thousand dollars, to be expended for the following purposes, to wit: —

County tax, Essex.

For interest on county debt, a sum not exceeding four thousand five hundred dollars.

For salaries of county officers and assistants, fixed by law, a sum not exceeding twenty-five thousand four hundred dollars.

For salaries and expenses of district and police courts, a sum not exceeding thirty-three thousand five hundred dollars.

For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, in

County tax,
Execr.

excess of receipts, a sum not exceeding forty-three thousand dollars.

For criminal costs in superior court, in excess of receipts, a sum not exceeding twenty-one thousand five hundred dollars.

For civil expenses in supreme and superior courts, a sum not exceeding sixteen thousand five hundred dollars.

For trial justices, a sum not exceeding four thousand dollars.

For transportation expenses of county and special commissioners, a sum not exceeding five hundred dollars.

For medical examiners, inquests, and commitment of the insane, a sum not exceeding eight thousand five hundred dollars.

For auditors, masters and referees, a sum not exceeding three thousand dollars.

For repairing, furnishing and improving county buildings, a sum not exceeding five thousand dollars.

For care, fuel, lights and supplies in county buildings, other than jails and houses of correction, a sum not exceeding twelve thousand dollars.

For highways, bridges and land damages, in excess of receipts, a sum not exceeding twenty thousand dollars.

For clerical assistance in county offices, in excess of receipts, a sum not exceeding five thousand six hundred dollars.

For law libraries, a sum not exceeding two thousand dollars.

For truant schools, in excess of receipts, a sum not exceeding five thousand dollars.

For miscellaneous and contingent expenses, in excess of receipts, a sum not exceeding fifteen thousand dollars.

Approved April 1, 1896.

Chap. 46

County tax,
Bristol.

RESOLVE GRANTING A COUNTY TAX FOR THE COUNTY OF BRISTOL.

Resolved, That the county commissioners for the county of Bristol are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of two hundred and seventy thousand dollars, to be expended for the following purposes, to wit: —

For interest on county debt, a sum not exceeding twenty-one thousand eight hundred dollars.

For reduction of county debt, a sum not exceeding ^{County tax, Bristol.} **sixty** thousand dollars.

For salaries of county officers and assistants, fixed by **law**, a sum not exceeding nineteen thousand two hundred **dollars**.

For salaries and expenses of district and police courts, **a** sum not exceeding twenty thousand five hundred dollars.

For salaries of jailers, masters and assistants, and **support** of prisoners in jails and houses of correction, in **excess** of receipts, a sum not exceeding forty-nine thousand five hundred dollars.

For criminal costs in superior court, in excess of receipts, **a** sum not exceeding twenty thousand dollars.

For civil expenses in supreme and superior courts, **a** sum not exceeding fifteen thousand dollars.

For transportation expenses of county and special commissioners, a sum not exceeding five hundred dollars.

For medical examiners, inquests, and commitment of the insane, a sum not exceeding six thousand dollars.

For auditors, masters and referees, a sum not exceeding **one** thousand dollars.

For repairing, furnishing and improving county buildings, **a** sum not exceeding fifteen thousand dollars.

For care, fuel, lights and supplies in county buildings, other than jails and houses of correction, a sum not exceeding fourteen thousand dollars.

For highways, bridges and land damages, in excess of receipts, a sum not exceeding four thousand dollars.

For clerical assistance in county offices, in excess of receipts, a sum not exceeding eleven thousand dollars.

For law libraries, a sum not exceeding two thousand five hundred dollars.

For truant schools, in excess of receipts, a sum not exceeding two thousand five hundred dollars.

For miscellaneous and contingent expenses, in excess of receipts, a sum not exceeding seven thousand five hundred dollars.

Approved April 1, 1896.

RESOLVE IN FAVOR OF ELMER HEWITT.

Chap. 47

Elmer Hewitt.

Resolved, That Elmer Hewitt of Weymouth, father of Henry Hewitt formerly a member of company B, fourth regiment. cavalry, Massachusetts volunteers, who died while a prisoner of war during the war of the rebellion,

shall, from and after the passage of this resolve, be eligible to receive state aid, under the provisions, rules and limitations of chapter three hundred and one of the acts of the year eighteen hundred and ninety-four, in the same manner and to the same extent as other dependent fathers now receiving aid under said chapter.

Approved April 1, 1896.

Chap. 48

Bridget
Lemmon.

RESOLVE IN FAVOR OF BRIDGET LEMMON.

Resolved, That Bridget Lemmon, widow of Joseph Lemmon who served during the war of the rebellion as seaman on board the United States coast survey steamers Vixen and Bibb, shall, from and after the passage of this resolve, be eligible to receive state or military aid, under the provisions, rules and limitations of chapter three hundred and one of the acts of the year eighteen hundred and ninety-four, in the same manner and to the same extent that she would have been entitled to receive the same had her late husband served as an enlisted seaman in the United States navy.

Approved April 1, 1896.

Chap. 49

County tax,
Middlesex.

RESOLVE GRANTING A COUNTY TAX FOR THE COUNTY OF MIDDLESEX.

Resolved, That the county commissioners for the county of Middlesex are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of four hundred and forty-five thousand two hundred dollars, to be expended for the following purposes, to wit: —

For interest on county debt, a sum not exceeding twenty-five thousand dollars.

For reduction of county debt, a sum not exceeding forty thousand dollars.

For salaries of county officers and assistants, fixed by law, a sum not exceeding thirty-two thousand two hundred dollars.

For salaries and expenses of district and police courts, a sum not exceeding sixty-one thousand dollars.

For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, in excess of receipts, a sum not exceeding seventy-eight thousand dollars.

For criminal costs in superior court, in excess of receipts, a sum not exceeding twenty-six thousand dollars.

For civil expenses in supreme and superior courts, a sum not exceeding forty thousand dollars. a County tax, Middlesex.

For trial justices, a sum not exceeding two thousand two hundred dollars.

For transportation expenses of county and special commissioners, a sum not exceeding eight hundred dollars.

For medical examiners, inquests, and commitment of the insane, a sum not exceeding eleven thousand dollars.

For auditors, masters and referees, a sum not exceeding five thousand dollars.

For repairing, furnishing and improving county buildings, a sum not exceeding thirty thousand dollars.

For care, fuel, lights and supplies in county buildings, other than jails and houses of correction, a sum not exceeding twenty thousand dollars.

For highways, bridges and land damages, in excess of receipts, a sum not exceeding twenty-five thousand dollars.

For clerical assistance in county offices, in excess of receipts, (including eight thousand dollars for copying records of northern district registry,) a sum not exceeding thirty-seven thousand dollars.

For law libraries, a sum not exceeding two thousand dollars.

For truant schools, in excess of receipts, a sum not exceeding five thousand dollars.

For miscellaneous and contingent expenses, in excess of receipts, a sum not exceeding five thousand dollars.

Approved April 4, 1896.

RESOLVE GRANTING A COUNTY TAX FOR THE COUNTY OF HAMPDEN.

Chap. 50

Resolved, That the county commissioners for the county of Hampden are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of one hundred and sixty-five thousand dollars, to be expended for the following purposes, to wit: —

County tax, Hampden.

For interest on county debt, a sum not exceeding fourteen thousand dollars.

For reduction of county debt, a sum not exceeding twenty-one thousand dollars.

For salaries of county officers and assistants, fixed by law, a sum not exceeding twelve thousand dollars.

For salaries and expenses of district and police courts, a sum not exceeding nineteen thousand five hundred dollars.

County tax,
Hampden.

For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, in excess of receipts, a sum not exceeding twenty-five thousand five hundred dollars.

For criminal costs in superior court, in excess of receipts, a sum not exceeding one thousand dollars.

For civil expenses in supreme and superior courts, a sum not exceeding twenty-four thousand dollars.

For transportation expenses of county and special commissioners, a sum not exceeding two hundred dollars.

For medical examiners, inquests, and commitment of the insane, a sum not exceeding four thousand five hundred dollars.

For auditors, masters and referees, a sum not exceeding two thousand dollars.

For repairing, furnishing and improving county buildings, a sum not exceeding eight thousand dollars.

For care, fuel, lights and supplies in county buildings, other than jails and houses of correction, a sum not exceeding eight thousand dollars.

For highways, bridges and land damages, in excess of receipts, a sum not exceeding eight thousand five hundred dollars.

For clerical assistance in county offices, in excess of receipts, a sum not exceeding five thousand dollars.

For law libraries, a sum not exceeding two thousand dollars.

For truant schools, in excess of receipts, a sum not exceeding six thousand dollars.

For miscellaneous and contingent expenses, in excess of receipts, a sum not exceeding three thousand eight hundred dollars.

Approved April 4, 1896.

Chap. 51 RESOLVE GRANTING A COUNTY TAX FOR THE COUNTY OF HAMPSHIRE.

County tax,
Hampshire.

Resolved, That the county commissioners for the county of Hampshire are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of fifty thousand dollars, to be expended for the following purposes, to wit: —

For interest on county debt, a sum not exceeding four thousand dollars.

For reduction of county debt, a sum not exceeding eight thousand dollars.

For salaries of county officers and assistants, fixed by law, a sum not exceeding seven thousand three hundred dollars. County tax, Hampshire.

For salaries and expenses of district and police courts, a sum not exceeding six thousand one hundred dollars.

For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, in excess of receipts, a sum not exceeding seven thousand eight hundred dollars.

For criminal costs in superior court, in excess of receipts, a sum not exceeding two thousand five hundred dollars.

For civil expenses in supreme and superior courts, a sum not exceeding four thousand dollars.

For transportation expenses of county and special commissioners, a sum not exceeding one hundred dollars.

For medical examiners, inquests, and commitment of the insane, a sum not exceeding seven hundred dollars.

For auditors, masters and referees, a sum not exceeding three hundred dollars.

For repairing, furnishing and improving county buildings, a sum not exceeding one thousand dollars.

For care, fuel, lights and supplies in county buildings, other than jails and houses of correction, a sum not exceeding four thousand dollars.

For highways, bridges and land damages, in excess of receipts, a sum not exceeding one thousand dollars.

For clerical assistance in county offices, in excess of receipts, a sum not exceeding one thousand dollars.

For law libraries, a sum not exceeding one thousand dollars.

For truant schools, in excess of receipts, a sum not exceeding two hundred dollars.

For miscellaneous and contingent expenses, in excess of receipts, a sum not exceeding one thousand dollars.

Approved April 4, 1896.

RESOLVE RELATIVE TO THE IMMIGRATION OF WESTERN ISLANDERS
INTO BARNSTABLE COUNTY.

Chap. 52

Resolved, That the bureau of statistics of labor is hereby instructed to make inquiries concerning the immigration of Western Islanders into Barnstable county, and to report in print the results of such inquiries, including such

Immigration of
Western
Islanders.

statistical and other information as said bureau may deem important, to the general court on or before the first Wednesday in January in the year eighteen hundred and ninety-seven.

Approved April 4, 1896.

Chap. 53 RESOLVE GRANTING A COUNTY TAX FOR THE COUNTY OF FRANKLIN.

County tax,
Franklin.

Resolved, That the county commissioners for the county of Franklin are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of thirty-five thousand dollars, to be expended for the following purposes, to wit:—

For interest on county debt, a sum not exceeding one thousand six hundred dollars.

For salaries of county officers and assistants, fixed by law, a sum not exceeding six thousand three hundred dollars.

For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, in excess of receipts, a sum not exceeding five thousand dollars.

For criminal costs in superior court, in excess of receipts, a sum not exceeding four thousand two hundred dollars.

For civil expenses in supreme and superior courts, a sum not exceeding two thousand dollars.

For trial justices, a sum not exceeding three thousand dollars.

For transportation expenses of county and special commissioners, a sum not exceeding five hundred dollars.

For medical examiners, inquests, and commitment of the insane, a sum not exceeding seven hundred dollars.

For auditors, masters and referees, a sum not exceeding three hundred dollars.

For repairing, furnishing and improving county buildings, a sum not exceeding three thousand dollars.

For care, fuel, lights and supplies in county buildings, other than jails and houses of correction, a sum not exceeding two thousand dollars.

For highways, bridges and land damages, in excess of receipts, a sum not exceeding one thousand dollars.

For clerical assistance in county offices, in excess of receipts, a sum not exceeding three thousand dollars.

For law libraries, a sum not exceeding six hundred dollars.

For truant schools, in excess of receipts, a sum not exceeding one hundred dollars.

For miscellaneous and contingent expenses, in excess of receipts, a sum not exceeding one thousand seven hundred dollars.

Approved April 4, 1896.

RESOLVE TO PROVIDE FOR COMPLETING AND FURNISHING THE GYMNASIUM OF THE WORCESTER NORMAL SCHOOL.

Chap. 54

Resolved, That there be allowed and paid out of the treasury of the Commonwealth a sum not exceeding ten thousand dollars, for the purpose of completing and furnishing the gymnasium connected with the state normal school at Worcester and providing the buildings with electric lights.

Worcester
normal school
gymnasium.

Approved April 7, 1896.

RESOLVE IN FAVOR OF PHILIP H. CREASEY.

Chap. 55

Resolved, That there be allowed and paid out of the treasury of the Commonwealth to Philip H. Creasey of Newburyport the sum of five hundred dollars, said Creasey being a naval cadet who was detached from the training ship Enterprise on the twenty-seventh day of January in the present year and placed on board the steamer St. Louis at New York, and who on the twenty-ninth day of January was disabled for life by an accident occurring to him on said steamer.

Philip H.
Creasey.

Approved April 10, 1896.

RESOLVE GRANTING A COUNTY TAX FOR THE COUNTY OF WORCESTER.

Chap. 56

Resolved, That the county commissioners for the county of Worcester are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of two hundred and fifty thousand dollars, to be expended for the following purposes, to wit: —

County tax,
Worcester.

For interest on county debt, a sum not exceeding four thousand three hundred and seventy-five dollars.

For reduction of county debt, a sum not exceeding twenty-five thousand dollars.

For salaries of county officers and assistants, fixed by law, a sum not exceeding twenty-three thousand one hundred and fifty dollars.

For salaries and expenses of district and police courts, a sum not exceeding twenty-seven thousand four hundred and fifty dollars.

County tax,
Worcester.

For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, in excess of receipts, a sum not exceeding forty-four thousand dollars.

For criminal costs in superior court, in excess of receipts, a sum not exceeding sixteen thousand dollars.

For civil expenses in supreme and superior courts, a sum not exceeding fifteen thousand dollars.

For trial justices, a sum not exceeding four thousand dollars.

For transportation expenses of county and special commissioners, a sum not exceeding eight hundred dollars.

For medical examiners, inquests, and commitment of the insane, a sum not exceeding five thousand five hundred dollars.

For auditors, masters and referees, a sum not exceeding two thousand seven hundred dollars.

For building county buildings, a sum not exceeding five thousand dollars.

For repairing, furnishing and improving county buildings, a sum not exceeding ten thousand dollars.

For care, fuel, lights and supplies in county buildings, other than jails and houses of correction, a sum not exceeding thirteen thousand nine hundred dollars.

For highways, bridges and land damages, in excess of receipts, a sum not exceeding twenty thousand dollars.

For clerical assistance in county offices, in excess of receipts, a sum not exceeding eighteen thousand four hundred dollars.

For law libraries, a sum not exceeding four thousand dollars.

For truant schools, in excess of receipts, a sum not exceeding five thousand dollars.

For miscellaneous and contingent expenses, in excess of receipts, a sum not exceeding five thousand seven hundred and twenty-five dollars. *Approved April 13, 1896.*

Chap. 57

Joseph F.
Toole.

RESOLVE IN FAVOR OF JOSEPH F. TOOLE.

Resolved, That there be allowed and paid out of the treasury of the Commonwealth to Joseph F. Toole of Boston the sum of two hundred and fifty dollars, in full compensation for injuries received by said Toole while in the discharge of his duties as an employee of the gypsy moth commission.

Approved April 13, 1896.

RESOLVE IN FAVOR OF JOHN J. DONAHUE.

Chap. 58

Resolved, That there be allowed and paid out of the treasury of the Commonwealth to John J. Donahue of Salem the sum of one hundred and fifty dollars, in full compensation for injuries received by said Donahue on the twenty-fourth day of May in the year eighteen hundred and ninety-five in consequence of the firing of a salute by the state militia at the funeral of General William Cogswell.

John J.
Donahue.*Approved April 13, 1896.*

RESOLVE GRANTING A COUNTY TAX TO THE COUNTY OF BERKSHIRE.

Chap. 59

Resolved, That the county commissioners for the county of Berkshire are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of eighty thousand dollars, to be expended for the following purposes, to wit: —

County tax,
Berkshire.

For interest on county debt, a sum not exceeding seven thousand two hundred dollars.

For reduction of county debt, a sum not exceeding ten thousand dollars.

For salaries of county officers and assistants, fixed by law, in excess of receipts, a sum not exceeding nine thousand dollars.

For salaries and expenses of district and police courts, a sum not exceeding fourteen thousand five hundred dollars.

For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, in excess of receipts, a sum not exceeding fourteen thousand three hundred dollars.

For criminal costs in superior court, in excess of receipts, a sum not exceeding eight thousand five hundred dollars.

For civil expenses in supreme and superior courts, a sum not exceeding three thousand five hundred dollars.

For transportation expenses of county and special commissioners, a sum not exceeding one hundred dollars.

For medical examiners, inquests, and commitment of the insane, a sum not exceeding one thousand eight hundred dollars.

For auditors, masters and referees, a sum not exceeding four hundred dollars.

For repairing, furnishing and improving county buildings, a sum not exceeding two thousand dollars.

County tax,
Berkshire.

For care, fuel, lights and supplies in county buildings, other than jails and houses of correction, a sum not exceeding three thousand eight hundred dollars.

For highways, bridges and land damages, in excess of receipts, a sum not exceeding one thousand four hundred dollars.

For clerical assistance in county offices, in excess of receipts, a sum not exceeding one thousand dollars.

For truant schools, in excess of receipts, a sum not exceeding one thousand five hundred dollars.

For miscellaneous and contingent expenses, in excess of receipts, a sum not exceeding one thousand dollars.

Approved April 13, 1896.

Chap. 60 RESOLVE TO AUTHORIZE THE APPOINTMENT OF A COMMISSION TO INVESTIGATE THE CHARITABLE AND REFORMATORY INTERESTS AND INSTITUTIONS OF THE COMMONWEALTH.

Commission to
investigate the
charitable and
reformatory
interests, etc.,
of the Com-
monwealth.

Resolved, That the governor, by and with the advice of the council, be and he is hereby authorized to appoint a commission, consisting of three persons, to investigate the public charitable and reformatory interests and institutions of the Commonwealth; to inquire into the expediency of revising the system of administering the same and of revising all existing laws in regard to pauperism and insanity, including all laws relating to pauper settlements; and furthermore to inquire into the relation of pauperism and insanity to crime, with a view to securing economy and efficiency in the care of the poor and insane in this Commonwealth. Said commission may employ a stenographer, shall have power to send for persons and papers, and may incur such expenses and receive such compensation for their services as the governor and council may determine. Said commission shall submit its report in print, with a bill or bills, if practicable, to the governor and council before the first day of February in the year eighteen hundred and ninety-seven.

Approved April 13, 1896.

Chap. 61 RESOLVE RELATIVE TO THE REPORT OF THE STATE BOARD OF HEALTH UPON THE SANITARY CONDITION OF THE NEPONSET MEADOWS.

Report on
sanitary con-
dition of the
Neponset
meadows.

Resolved, That the state board of health is hereby authorized to report in print the results of its investigation of the sanitary condition of the Neponset meadows,

made in conformity with the provisions of chapter eighty-three of the resolves of the year eighteen hundred and ninety-five, and that two thousand copies of said report be printed.

Approved April 13, 1896.

RESOLVE IN FAVOR OF THE TOWN OF ORANGE.

Chap. 62

Resolved, That there be allowed and paid out of the treasury of the Commonwealth to the town of Orange the sum of three hundred and fifty dollars, for armory rent for the year eighteen hundred and ninety-five.

Town of
Orange.

Approved April 13, 1896.

RESOLVE IN FAVOR OF CAROLINE E. CHASE.

Chap. 63

Resolved, That Caroline E. Chase of Marblehead, widow of Henry Frost, alias Charles H. Chase, who was a sergeant in company G, first regiment, Louisiana volunteer cavalry, shall, from and after the passage of this resolve, be eligible to receive state aid under the provisions, rules and limitations of chapter three hundred and one of the acts of the year eighteen hundred and ninety-four, in the same manner and to the same extent that she would have been entitled had the said Henry Frost served to the credit of this Commonwealth.

Caroline E.
Chase.

Approved April 13, 1896.

RESOLVE IN FAVOR OF HARRY W. WELCH.

Chap. 64

Resolved, That there be allowed and paid out of the treasury of the Commonwealth to Harry W. Welch of Cambridge an annuity of three hundred dollars for the term of his natural life, to be so allowed from the first day of January in the year eighteen hundred and ninety-seven, in consequence of disabilities incurred while on duty as a member of company B, first regiment, infantry, Massachusetts volunteer militia, at the annual muster of the regiment in the year eighteen hundred and eighty-eight.

Harry W.
Welch.

Approved April 13, 1896.

RESOLVE PROVIDING FOR THE PREPARATION OF AN INDEX TO THE
REGISTRATION RETURNS.

Chap. 65

Resolved, That there be allowed and paid out of the treasury of the Commonwealth a sum not exceeding two thousand dollars for completing the alphabetical index to the returns of births, marriages and deaths for the years eighteen hundred and eighty-one to eighteen hundred and eighty-nine, inclusive.

Index to
registration
returns.

Approved April 14, 1896.

Chap. 66 RESOLVE RELATIVE TO THE STANDARD WEIGHTS, MEASURES AND BALANCES OF THE COMMONWEALTH.

Standard weights, measures, etc.

Resolved, That there be allowed and paid out of the treasury of the Commonwealth a sum not exceeding one thousand dollars, to be expended by the treasurer and receiver general for the purpose of repairing and adding to the standard weights, measures and balances of the Commonwealth.

Approved April 14, 1896.

Chap. 67 RESOLVE IN FAVOR OF THE WIDOW OF FREDERIC T. GREENHALGE.

Widow of Frederic T. Greenhalge.

Resolved, That there be allowed and paid out of the treasury of the Commonwealth to the widow of Frederic T. Greenhalge late governor of the Commonwealth of Massachusetts, who died on the fifth day of March in the year eighteen hundred and ninety-six, the sum of six thousand five hundred fifty-nine dollars and fourteen cents, being the amount of salary said Frederic T. Greenhalge would have been entitled to receive had he lived until the thirty-first day of December of the present year.

Approved April 15, 1896.

Chap. 68 RESOLVE EXTENDING THE TIME FOR THE REPORT OF THE BOARD ON DOCKS AND TERMINAL FACILITIES, AND PROVIDING FOR THE CONTINUANCE OF THE INVESTIGATION RELATIVE THERETO.

Report of board on docks and terminal facilities, etc.

Resolved, That the time allowed for the filing of the report of the board on docks and terminal facilities, required to be made to the general court by chapter two hundred and ninety-one of the acts of the year eighteen hundred and ninety-five, providing for an investigation of the wants of the port of Boston for an improved system of docks and wharves and terminal facilities in connection therewith, is hereby extended to the first Wednesday of January in the year eighteen hundred and ninety-seven; and a sum not exceeding four thousand dollars, in addition to any amount heretofore authorized, may be expended for the purpose of completing the investigation provided for in said act; and the term of office of said commission is hereby extended to the first day of April in the year eighteen hundred and ninety-seven.

Approved April 15, 1896.

RESOLVE EXTENDING THE TIME FOR THE REPORT OF THE STATE BOARD OF HEALTH RELATIVE TO SEWAGE DISPOSAL AND DRAINAGE IN SALEM AND PEABODY. *Chap. 69*

Resolved, That there be allowed and paid out of the treasury of the Commonwealth a sum not exceeding one thousand dollars, to be expended by the state board of health in continuing the investigations relating to a general system of drainage and sewerage for the city of Salem and the town of Peabody, provided by chapter one hundred and twelve of the resolves of the year eighteen hundred and ninety-five, said amount being in addition to the three thousand dollars provided for in said resolve; the Commonwealth to be reimbursed for such additional expenditure herein provided for as shall be approved by the governor and council, in the same manner as provided in said resolve. The time allowed for the completion of the report of said state board of health relative to said general system of drainage and sewerage for the city of Salem and the town of Peabody is hereby extended, and said board is directed to submit said report in print, together with plans and estimates of cost, to the city of Salem and the town of Peabody on or before the first day of July in the present year, and to present a duplicate of said report to the general court on or before the first Wednesday of January in the year eighteen hundred and ninety-seven.

Report on sewage disposal, etc., of Salem and Peabody.

Approved April 17, 1896.

RESOLVE TO PROVIDE FOR PRINTING ONE THOUSAND ADDITIONAL COPIES OF THE REPORT OF THE BOARD OF LIBRARY COMMISSIONERS. *Chap. 70*

Resolved, That there be allowed and paid out of the treasury of the Commonwealth the sum of one hundred and twelve dollars, to defray the expense of printing one thousand additional copies of the sixth report of the board of library commissioners for the use of said board.

Report of library commissioners.

Approved April 17, 1896.

RESOLVES PROVIDING FOR SUBMITTING TO THE PEOPLE THE ARTICLES OF AMENDMENT TO THE CONSTITUTION ESTABLISHING BIENNIAL ELECTIONS OF STATE OFFICERS AND MEMBERS OF THE GENERAL COURT. *Chap. 71*

Resolved, That the following articles of amendment to the constitution, having been agreed to by the last and

Amendment to the constitution.

present general courts, and published in the manner required by the constitution, be submitted to the people for their ratification and adoption : —

FIRST ARTICLE OF AMENDMENT.

Biennial elections of governor, lieutenant governor and councillors.

The governor, and lieutenant governor, and councillors, shall hold their respective offices for two years next following the first Wednesday in the January succeeding their election, and until others are chosen and qualified in their stead.

To apply at election in 1898.

The first election to which this article shall apply shall be that held on the Tuesday next after the first Monday in November in the year eighteen hundred and ninety-eight; and thereafter elections for the choice of all the officers before mentioned shall be held biennially on the Tuesday next after the first Monday in November.

Heads of departments.

All the provisions of the Constitution inconsistent with the provisions herein contained are hereby annulled.

The secretary, treasurer and receiver general, auditor, and attorney-general, shall hold their respective offices for two years, beginning with the third Wednesday in the January succeeding their election, and until others are chosen and qualified in their stead.

To apply at election in 1898.

A person shall be eligible as treasurer and receiver general for three successive terms, and no more.

The first election to which this article shall apply shall be that held on the Tuesday next after the first Monday in November in the year eighteen hundred and ninety-eight; and thereafter elections for the choice of all the officers before mentioned shall be held biennially on the Tuesday next after the first Monday in November.

All the provisions of the Constitution inconsistent with the provisions herein contained are hereby annulled.

SECOND ARTICLE OF AMENDMENT.

Biennial election of senators and representatives.

Senators and representatives shall hold their respective offices for terms of two years, beginning with the first Wednesday in the January succeeding their election.

To apply at election in 1898.

The first election to which this article shall apply shall be that held on the Tuesday next after the first Monday in November in the year eighteen hundred and ninety-eight; and thereafter elections for the choice of senators and representatives shall be held biennially on the Tuesday next after the first Monday in November.

The general court shall assemble every year on the first Wednesday in January; and each general court shall, without any proclamation or other act of the governor, be finally dissolved on the day preceding the day appointed for the first assembling of the next elected general court.

General court
to assemble
annually.

All the provisions of the Constitution inconsistent with the provisions herein contained are hereby annulled.

Resolved, That the people shall be assembled for the purpose aforesaid, in their respective polling places in the several cities and towns, in meetings to be legally warned, and held on Tuesday the third day of November next, at which meetings all persons qualified to vote for state officers may give in their votes by ballot for or against said articles of amendment; and the same officers shall preside in said meetings as in meetings for the choice of state officers, and shall in open meetings receive, sort, count and declare the votes for and against the said articles of amendment; and the said votes shall be recorded by the clerks of said cities and towns, and true returns thereof shall be made out under the hands of the mayors and aldermen, and of the selectmen, or a major part of them, and of the clerks of said cities and towns, respectively, and sealed up, and, within ten days after the said meetings, transmitted to the secretary of the Commonwealth. So far as the same can be made applicable, the provisions of law applicable to the election of state officers shall apply to the taking of the vote on said articles of amendment.

Vote upon
articles of
amendment, etc.

Resolved, That each of the said articles shall be considered as a distinct amendment, to be adopted in the whole or rejected in the whole, as the people shall think proper. And every person qualified to vote as aforesaid may express his opinion on each of said articles of amendment, and the following words shall be printed on the ballot, to wit:—

To be voted
upon sep-
arately.

First Article of Amendment: Shall the proposed amendment to the constitution establishing biennial elections of state officers be approved and ratified?

Yes.	<input type="checkbox"/>
No.	<input type="checkbox"/>

Questions to be
printed on
ballot.

Second Article of Amendment: Shall the proposed amendment to the constitution establishing biennial elections of members of the general court be approved and ratified? And each article that shall appear to be approved by a majority of the per-

Yes.	<input type="checkbox"/>
No.	<input type="checkbox"/>

sons voting thereon shall be deemed and taken to be ratified and adopted by the people.

Returns of votes
to be examined,
etc.

Resolved, That his excellency the governor, and the council, shall forthwith open and examine the votes returned as aforesaid; and if it shall appear that said articles of amendment, or either of them, have been approved by a majority of the persons voting thereon, according to the votes returned and certified as aforesaid, the same shall be enrolled on parchment, and deposited in the secretary's office as a part of the constitution of this Commonwealth, and shall be published in immediate connection therewith, numbered according to their numerical position, with the articles of amendment of the constitution heretofore adopted, in all future editions of the laws of this Commonwealth printed by public authority.

Governor to
make proclamation
of result of
vote.

Resolved, That his excellency the governor be, and hereby is, authorized and requested to issue his proclamation forthwith after the examination of the votes returned as aforesaid, reciting said articles of amendment, or either of them, and announcing that said articles, or either of them, have been duly adopted and ratified by the people of the Commonwealth, and thus become a part of the constitution thereof, and requiring all magistrates and officers and all citizens of the Commonwealth to take notice thereof and govern themselves accordingly, or that said articles, or either of them, have been rejected, as the case may be.

Copy of resolves
to be trans-
mitted to cities
and towns.

Resolved, That a printed copy of these resolves, including the said articles of amendment, shall be transmitted as soon as may be by the secretary of the Commonwealth to the mayors and aldermen of the several cities and to the selectmen of the several towns of the Commonwealth.

Approved April 17, 1896.

Chap. 72 RESOLVE PROVIDING FOR CERTAIN REPAIRS AND IMPROVEMENTS AT
THE TAUNTON LUNATIC HOSPITAL.

Taunton lunatic
hospital.

Resolved, That there be allowed and paid out of the treasury of the Commonwealth a sum not exceeding twenty thousand eight hundred and seventy-nine dollars, to be expended at the Taunton lunatic hospital at Taunton under the direction of the trustees and superintendent, for the following purposes, to wit: — For enlarging the straw barn, five hundred dollars; for slating roof of the large well house, four hundred dollars; for concrete walks

n rear of hospital buildings, three hundred dollars; for ventilating the old wings of the hospital, five thousand dollars; for steam boiler, one thousand dollars; for changing workroom in rear center into dormitories for employees, nine hundred dollars; for enlarging chapel, including heating, ventilating, painting and decorating, and all the changes in rooms connected therewith, seven thousand seven hundred and seventy-nine dollars; and for general repairs, five thousand dollars.

Approved April 22, 1896.

RESOLVE PROVIDING FOR CERTAIN IMPROVEMENTS AT THE STATE INDUSTRIAL SCHOOL FOR GIRLS. *Chap. 73*

Resolved, That there be allowed and paid out of the treasury of the Commonwealth a sum not exceeding two thousand nine hundred and sixty dollars, to be expended at the state industrial school for girls under the direction of the trustees thereof, for the following purposes, to wit:—For the purchase of pipe, hydrants, hose and other connections and additions to the water works, two thousand and sixty dollars; for the construction of a pig-gery, nine hundred dollars. *Approved April 22, 1896.*

State industrial school for girls.

RESOLVE TO CONFIRM THE ACTS OF CHARLES G. ALLEN AS A JUSTICE OF THE PEACE. *Chap. 74*

Resolved, That all acts done by Charles G. Allen of Barre as a justice of the peace, between the twenty-seventh day of January in the year eighteen hundred and ninety-three and the ninth day of March in the same year, are hereby confirmed and made valid to the same extent as though he had been during that time qualified to discharge the duties of said office.

Charles G. Allen, justice of the peace, acts confirmed.

Approved April 22, 1896.

RESOLVE TO PROVIDE ADDITIONAL SHOP ROOM AT THE STATE PRISON. *Chap. 75*

Resolved, That there be allowed and paid out of the treasury of the Commonwealth a sum not exceeding two thousand dollars, to be expended by the warden of the state prison under the direction of the general superintendent of prisons, in enlarging and extending the shop room at said prison. *Approved April 22, 1896.*

Shop room at state prison.

Chap. 76 RESOLVE PROVIDING FOR CERTAIN REPAIRS AND IMPROVEMENTS
AT THE WESTBOROUGH INSANE HOSPITAL.

Westborough
insane hospital.

Resolved, That there be allowed and paid out of the treasury of the Commonwealth a sum not exceeding twenty-six thousand four hundred and fifty dollars, to be expended at the Westborough insane hospital under the direction of the trustees thereof, for the following purposes, to wit:—A sum not exceeding fifteen hundred dollars for improvements and repairs of farm buildings; a sum not exceeding twenty-five hundred dollars for an addition to the laundry and furnishing the same; a sum not exceeding twenty-five hundred dollars for a coal shed and enlarging the engine room; a sum not exceeding one thousand dollars for new refrigerators; a sum not exceeding five thousand dollars for new furniture and furnishings; a sum not exceeding one thousand dollars for cooking apparatus for the new kitchen; a sum not exceeding two thousand dollars for two new boilers; a sum not exceeding nine hundred and fifty dollars for land purchased for a new sewage field; and a sum not exceeding ten thousand dollars for the construction of a new system of drainage and sewerage in accordance with the recommendation of the state board of health.

Approved April 27, 1896.

Chap. 77 RESOLVE PROVIDING FOR SURVEYS AND OTHER WORK CONNECTED
WITH THE CONSERVATION OF THE CONNECTICUT RIVER.

Conservation of
the Connecticut
river.

Resolved, That there be allowed and paid out of the treasury of the Commonwealth a sum not exceeding one thousand dollars, to be expended by the harbor and land commissioners in carrying out the provisions of chapter three hundred and forty-four of the acts of the year eighteen hundred and eighty-five, entitled "An Act in relation to the conservation of the Connecticut river."

Approved April 27, 1896.

Chap. 78 RESOLVE PROVIDING FOR A CODIFICATION OF THE STATUTES RELATING TO ELECTIONS.

Codification of
election laws.

Resolved, That the secretary of the Commonwealth prepare a codification of all the statutes in force relating to the manner of conducting national, state and municipal elections; and also relating to ballots, balloting, and the manner of holding and conducting caucuses for the nom-

ination of candidates to be voted for at such elections, including all laws passed at this session of the legislature, and report the same to the next general court. He shall also report such changes and amendments in existing laws as in his opinion may be advisable. He shall receive such compensation therefor not exceeding the sum of three hundred dollars, and may employ such clerical assistance to an amount not exceeding two hundred dollars, as may be approved by the governor and council.

Approved April 27, 1896.

RESOLVE GRANTING A COUNTY TAX FOR THE COUNTY OF NORFOLK.

Chap. 79

Resolved, That the county commissioners for the county of Norfolk are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of one hundred and twenty thousand dollars, to be expended for the following purposes, to wit: —

County tax,
Norfolk.

For interest on county debt, a sum not exceeding seven thousand three hundred dollars.

For reduction of county debt, a sum not exceeding ten thousand dollars.

For salaries of county officers and assistants, fixed by law, a sum not exceeding ten thousand two hundred dollars.

For salaries and expenses of district and police courts, a sum not exceeding thirteen thousand dollars.

For salaries of jailers, masters and assistants, and support of prisoners in jails and houses of correction, in excess of receipts, a sum not exceeding sixteen thousand dollars.

For criminal costs in superior court, in excess of receipts, a sum not exceeding eight thousand five hundred dollars.

For civil expenses in supreme and superior courts, a sum not exceeding eleven thousand dollars.

For trial justices, a sum not exceeding five thousand dollars.

For transportation expenses of county and special commissioners, a sum not exceeding three hundred dollars.

For medical examiners, inquests, and commitment of the insane, a sum not exceeding two thousand seven hundred dollars.

For auditors, masters and referees, a sum not exceeding two thousand five hundred dollars.

County tax,
Norfolk.

For repairing, furnishing and improving county buildings, a sum not exceeding three thousand five hundred dollars.

For care, fuel, lights and supplies in county buildings, other than jails and houses of correction, a sum not exceeding ten thousand two hundred dollars.

For highways, bridges and land damages, in excess of receipts, a sum not exceeding five thousand dollars.

For clerical assistance in county offices, in excess of receipts, a sum not exceeding eight thousand eight hundred dollars.

For law libraries, a sum not exceeding five hundred dollars.

For truant schools, in excess of receipts, a sum not exceeding three thousand dollars.

For miscellaneous and contingent expenses, in excess of receipts, a sum not exceeding two thousand five hundred dollars.

Approved April 27, 1896.

Chap. 80 RESOLVE RELATIVE TO THE STATE MILITARY AND NAVAL HISTORIAN.

State military
and naval
historian.

Resolved, That the governor and council are hereby authorized to extend the appointment of the state military and naval historian for such further time, not exceeding six months, as may be necessary to enable him to complete his work, provided that no salary or compensation shall be allowed to said historian on account of said extension of time.

Approved April 27, 1896.

Chap. 81 RESOLVE PROVIDING FOR THE ERECTION OF TWO BUILDINGS AT THE MASSACHUSETTS SCHOOL FOR THE FEEBLE-MINDED AT WALTHAM.

Massachusetts
School for the
Feeble-minded.

Resolved, That there be allowed and paid out of the treasury of the Commonwealth a sum not exceeding sixty thousand dollars, to be expended at the Massachusetts School for the Feeble-minded at Waltham under the direction of the trustees of said institution, for the purpose of erecting two new buildings, in accordance with the recommendations contained in the forty-eighth annual report of the said trustees. No contracts shall be made for the construction of either of the buildings hereby authorized until the plans therefor have been approved by the governor and council; and such approval shall not be given until plans and estimates in detail shall have been

submitted to the governor and council and they are satisfied that the cost of the said buildings will not exceed the amount authorized to be expended by this resolve.

Approved April 27, 1896.

RESOLVE AUTHORIZING THE PAYMENT OF SEWER ASSESSMENTS ON THE PROPERTY OF THE COMMONWEALTH IN THE CITY OF WORCESTER.

Chap. 82

Resolved, That there be allowed and paid out of the treasury of the Commonwealth to the city of Worcester the sum of four hundred nineteen dollars and five cents, on account of benefit to land held by the trustees of the Worcester insane asylum, and the further sum of eighty-two dollars, on account of benefit to land of the state normal school in Worcester, from sewers and drains constructed in said city.

Sewer assessments on property of the Commonwealth at Worcester.

Approved April 27, 1896.

RESOLVE PROVIDING FOR THE PREPARATION OF AN INDEX TO THE MASSACHUSETTS ARCHIVES.

Chap. 83

Resolved, That there be allowed and paid out of the treasury of the Commonwealth a sum not exceeding twelve hundred dollars, to be expended under the direction of the secretary of the Commonwealth for preparing an alphabetical index to the volumes of miscellaneous papers added to the Massachusetts archives collection during the years eighteen hundred and ninety-four and eighteen hundred and ninety-five.

Index to Massachusetts archives.

Approved April 27, 1896.

RESOLVE RELATIVE TO THE BATTLESHIP MASSACHUSETTS.

Chap. 84

Resolved, That the governor and council be requested and authorized to select and present to the government of the United States a suitable and appropriate gift to be placed in the battleship Massachusetts, now in process of construction, in recognition of the honor done the Commonwealth in the selection of the name of said battleship; and they are hereby authorized to expend a sum not exceeding two thousand dollars for said purpose.

Battleship Massachusetts.

Approved April 27, 1896.

RESOLVE IN FAVOR OF THE MANUFACTURERS' AGRICULTURAL SOCIETY IN NORTH ATTLEBOROUGH.

Chap. 85

Resolved, That there be allowed and paid out of the treasury of the Commonwealth the sum of six hundred

Manufacturers' Agricultural Society in No. Attleborough.

dollars to the Manufacturers' Agricultural Society in North Attleborough, for a bounty for the year eighteen hundred and ninety-five, being the amount which said society would have been entitled to receive had it been incorporated by an act of the legislature.

Approved April 28, 1896.

Chap. 86 RESOLVE RELATIVE TO A STATE HIGHWAY BETWEEN THE CITY OF BOSTON AND THE CITY OF NEWBURYPORT.

State highway
between Boston
and Newbury-
port.

Resolved, That the Massachusetts highway commission consider the expediency of laying out a state highway between the city of Boston and the city of Salem or the city of Newburyport, over the shore route, so-called, which route may be described substantially as follows: —

Starting from the south ferry, at Lewis street, in Boston, thence through Lewis street to Maverick square, thence through Maverick square to Chelsea street, thence over Chelsea street to Bennington street, thence over Bennington street to Orient Heights, thence over the main travelled road to the town of Revere, continuing on the main road to Beachmont, continuing over the main travelled road, known as Ocean avenue, along the ocean front to the Point of Pines, crossing the Saugus river on the easterly side of the Boston, Revere Beach and Lynn railroad and running to the south end of Sea street in Lynn, thence through Sea street to Broad street, thence through Broad street to Lewis street, thence through Lewis street to New Ocean street, thence through New Ocean street to the town of Swampscott, thence through New Ocean street, in Swampscott, to the junction of Burrill street and Paradise road, thence over Paradise road to the northeast end of said road, thence through Paradise woods on nearly a straight line to Vinin square, at the junction of the towns of Swampscott and Marblehead and the city of Salem, thence northerly to Loring avenue in the city of Salem, thence over Loring avenue to Lafayette street, thence over Lafayette street to Central street, thence over Central street to Essex street, thence through Salem to and over Beverly bridge, thence through the city of Beverly, and thence to Newburyport, using the present travelled roads as far as may be, with such additions of new road as may be necessary. Said Massachusetts highway commission shall report to the next general court the

probable cost of such a highway, with such other information as may be obtained in relation thereto, on or before the thirty-first day of January in the year eighteen hundred and ninety-seven.

Approved April 28, 1896.

RESOLVE PROVIDING FOR A CONSOLIDATION AND ARRANGEMENT OF
THE PUBLIC STATUTES OF THE COMMONWEALTH. *Chap. 87*

Resolved, That the governor, by and with the advice and consent of the council, shall appoint three able and discreet persons, learned in the law, to be commissioners for consolidating and arranging the Public Statutes of the Commonwealth which may be in force and operation at the time such commissioners may make their final report of their doings in the premises. Such commissioners shall carefully collect under different titles and chapters, upon the basis, plan and general form and method of the Public Statutes, all acts and parts of acts relating to the same subject; and shall execute and complete such consolidation and arrangement in such manner as in their judgment will render the said Public Statutes most concise, plain and intelligible. The commissioners may, in consolidating and arranging the statutes, omit redundant enactments, and those which may have ceased to have any effect or influence on existing rights; reject superfluous words, and condense into as concise and comprehensive a form as is consistent with a full and clear expression of the will of the legislature, all circuitous, tautological and ambiguous phraseology; suggest any mistakes, omissions, inconsistencies and imperfections which may appear in the laws to be consolidated and arranged, and the manner in which they may be corrected, supplied and amended. The commissioners shall indicate by brief marginal notes and references, the statutes, chapters and sections consolidated and arranged by them, the substance of the contents of each section, and the leading and prominent judicial decisions upon the same. They shall complete the said consolidation and arrangement, and make and present their final report, in print, to the legislature, as soon as may be. Said commissioners shall receive such compensation from the treasury of the Commonwealth as the governor and council shall determine.

*Consolidation,
etc., of the
Public Statutes.*

Approved April 28, 1896.

Chap. 88 RESOLVE TO PROVIDE FOR PRINTING ADDITIONAL COPIES OF THE
REPORT OF THE METROPOLITAN DISTRICT COMMISSION.

Report of met-
ropolitan dis-
trict com-
mission.

Resolved, That twenty-five hundred additional copies of the report of the metropolitan district commission be printed, to be distributed under the direction of the secretary of the Commonwealth; and that there be allowed and paid from the treasury of the Commonwealth a sum not exceeding three hundred dollars to meet the expense of the sixteen hundred copies of the report of said commission already printed in excess of the number authorized by law.

Approved April 28, 1896.

Chap. 89 RESOLVE PROVIDING FOR CERTAIN REPAIRS AND IMPROVEMENTS AT
THE STATE FARM AT BRIDGEWATER.

State farm.

Resolved, That there be allowed and paid out of the treasury of the Commonwealth a sum not exceeding thirty-four thousand two hundred dollars, to be expended at the state farm at Bridgewater under the direction of the trustees and superintendent thereof, for the following purposes, to wit: — For an extension of the prison department to contain not less than twenty large strong rooms, and a workshop to contain not less than seven thousand square feet of floor, heating, plumbing and furnishing included, and all necessary yard and connecting walls for the same, a sum not exceeding eighteen thousand five hundred dollars; for increasing the administration accommodations of the asylum for insane criminals, renewing the plumbing in east and west wings and enlarging the hot water system of said asylum, a sum not exceeding ten thousand dollars; for additional laundry machinery and a sterilizer, a sum not exceeding thirty-two hundred dollars; for extending electric lighting and a system of arc lights for the yards, and one additional boiler, a sum not exceeding twenty-five hundred dollars.

Approved May 2, 1896.

Chap. 90 RESOLVE TO PROVIDE FOR IMPROVEMENTS AT THE STATE NORMAL
SCHOOL AT FRAMINGHAM.

State normal
school at
Framingham.

Resolved, That there be allowed and paid out of the treasury of the Commonwealth the sum of thirty-one thousand dollars, to be expended under the direction of the state board of education for the purpose of making the following improvements at the Framingham normal school:—

Providing an electric light and power plant, heating and ventilating the buildings, erecting a boiler house, providing blackboards, electric clocks and gymnastic apparatus, and painting May Hall.

Approved May 2, 1896.

RESOLVE TO PROVIDE FOR GRADING THE GROUNDS AND FURNISHING AND FITTING THE NEW NORMAL SCHOOL BUILDINGS.

Chap. 91

Resolved, That there be allowed and paid out of the treasury of the Commonwealth, for the purpose of grading the grounds, furnishing and fitting for occupancy the new normal school buildings, a sum not exceeding the following amounts: — Hyannis, twenty-five thousand dollars; Fitchburg, thirty-five thousand dollars; Lowell, fifty thousand dollars; North Adams, twenty-five thousand dollars; Salem, forty-three thousand dollars; these said amounts to be expended under the direction of the state board of education.

New normal school buildings.

Approved May 2, 1896.

RESOLVE TO PROVIDE FOR IMPROVEMENTS AND REPAIRS AT THE STATE ALMSHOUSE.

Chap. 92

Resolved, That there be allowed and paid out of the treasury of the Commonwealth a sum not exceeding fifty-six thousand four hundred dollars, to be expended at the state almshouse under the direction of the trustees thereof, for the following purposes: — For the consolidation of the boiler plant, including three new boilers, new building, new engine and dynamo, and change in piping, nineteen thousand seven hundred dollars; for the purchase of land, four thousand two hundred dollars; for a new barn, three thousand two hundred dollars; for summer houses for the asylum yard, and two thousand lineal yards of concrete, four thousand dollars; for building a brick wall, one thousand five hundred dollars; for furnishing the new women's asylum, three thousand eight hundred dollars; and for a home training school for nurses, twenty thousand dollars.

State almshouse.

Approved May 2, 1896.

RESOLVE RELATIVE TO THE INDUSTRIES AT THE STATE PRISON AND REFORMATORIES.

Chap. 93

Resolved, That there be allowed and paid out of the treasury of the Commonwealth the sum of one hundred thousand dollars, to be expended under the direction of the general superintendent of prisons for maintaining the

Industries at state prison and reformatories.

industries at the state prison, the Massachusetts reformatory and the reformatory prison for women for the current year; said sum to be in addition to the amounts already appropriated for said purpose. *Approved May 2, 1896.*

Chap. 94 RESOLVE TO PROVIDE FOR REPAIRS AT THE REFORMATORY PRISON FOR WOMEN.

Reformatory
prison for
women.

Resolved, That there be allowed and paid out of the treasury of the Commonwealth a sum not exceeding two thousand eight hundred dollars, to be expended at the reformatory prison for women under the direction of the commissioners of prisons, for the following purposes, to wit: — For erecting and repairing farm buildings, a sum not exceeding fifteen hundred dollars; for a new boiler, a sum not exceeding thirteen hundred dollars.

Approved May 2, 1896.

Chap. 95 RESOLVE TO PROVIDE FOR THE PROTECTION OF THE TOWN OF AGAWAM AGAINST THE FURTHER ENCROACHMENTS OF THE CONNECTICUT RIVER.

Protection of
Agawam
against en-
croachments of
Connecticut
river.

Resolved, That there be allowed and paid out of the treasury of the Commonwealth, to be expended under the direction of the board of harbor and land commissioners, in pursuance of the provisions of chapter three hundred and forty-four of the acts of the year eighteen hundred and eighty-five, the sum of fifteen hundred dollars, for such surveys and examinations and for such protective works as may be found necessary and practicable to protect the western bank of the Connecticut river in the town of Agawam, and the highway near said bank, from the further encroachments of said river.

Approved May 2, 1896.

Chap. 96 RESOLVE DIRECTING THE STATE BOARD OF EDUCATION TO REPORT A PLAN FOR CARRYING INTO EXECUTION ITS RECOMMENDATIONS RELATIVE TO SCHOOL ATTENDANCE AND TRUANCY.

School attend-
ance and
truancy.

Resolved, That the state board of education is hereby directed to report to the next general court a plan for carrying into execution the recommendations submitted by said board in its report on the subject of school attendance and truancy, made in conformity with the requirements of chapter forty-seven of the resolves of the year

eighteen hundred and ninety-five. A sum not exceeding five hundred dollars shall be allowed and paid out of the treasury of the Commonwealth for such expenses actually incurred as may be necessary to carry out the provisions of this resolve.

Approved May 5, 1896.

RESOLVE IN FAVOR OF THE MASSACHUSETTS CHARITABLE EYE AND EAR INFIRMARY.

Chap. 97

Resolved, That there be allowed and paid out of the treasury of the Commonwealth to the Massachusetts Charitable Eye and Ear Infirmary the sum of one hundred thousand dollars, to be expended under the direction of the managers thereof on account of the cost of construction of a new hospital building for said infirmary: *provided*, that if the real estate situated near North Charles street and adjoining the Massachusetts General Hospital, in the city of Boston, which is to be bought and on which said new building is to be erected, shall ever cease to be used for the purposes of said institution, or if the building to be constructed on said land shall not be completed before the first day of January in the year nineteen hundred and one, the said institution shall repay to the Commonwealth the amount above appropriated; and *provided, further*, that said sum shall be paid to said institution when it has satisfied the treasurer of the Commonwealth that it has secured the title to not less than twenty thousand feet of the land above-mentioned, *provided, however*, that no more than fifty thousand dollars shall be paid to said institution during the year eighteen hundred and ninety-six.

Massachusetts
Charitable Eye
and Ear Infirmary.

Approved May 9, 1896.

RESOLVE IN FAVOR OF THE MASSACHUSETTS AGRICULTURAL COLLEGE.

Chap. 98

Resolved, That there be allowed and paid out of the treasury of the Commonwealth a sum not exceeding thirteen thousand nine hundred dollars, to be expended at the Massachusetts Agricultural College under the direction of its trustees, for the following purposes, to wit: — For repairing damage occasioned by the hail-storm of September eleventh, eighteen hundred and ninety-five, a sum not exceeding one thousand two hundred dollars; for repairing the spire of the chapel, a sum not exceeding two hundred dollars; for the purchase and improvement of the Clark property, a sum not exceeding five thousand five hundred

Massachusetts
Agricultural
College.

dollars; and for extending the laboratories of the experiment department, a sum not exceeding seven thousand dollars. From and after the first day of January in the year eighteen hundred and ninety-seven there shall be allowed and paid annually from the treasury of the Commonwealth, in accordance with chapter nineteen of the resolves of the year eighteen hundred and ninety-two, for the term of four years, the sum of ten thousand dollars, for the following purposes, to wit:—Five thousand dollars for the continuance of a labor fund to assist needy students of said college; and five thousand dollars to provide the theoretical and practical education required by its charter and the law of the United States relating thereto. Said sums shall be paid in equal quarterly payments.

Approved May 15, 1896.

Chap. 99 RESOLVE TO PROVIDE FOR PUBLISHING A REPORT OF THE PUBLIC EXERCISES COMMEMORATIVE OF FREDERIC T. GREENHALGE, LATE GOVERNOR OF THE COMMONWEALTH.

Report of
exercises com-
memorative of
Frederic T.
Greenhalge.

Resolved, That there be allowed and paid out of the treasury of the Commonwealth a sum not exceeding one thousand dollars, to meet the expense of publishing the report of the public exercises held under the direction of the executive and legislative departments of the Commonwealth, commemorative of the life and public services of Frederic T. Greenhalge, late governor of the Commonwealth. Said report shall be printed under the direction of the secretary of the Commonwealth and shall include a portrait of the late governor, the introductory remarks by His Honor Lieutenant Governor Roger Wolcott, the prayer offered by the Reverend Edward Everett Hale and the eulogy pronounced by United States Senator Henry Cabot Lodge, also an appendix wherein shall be printed the programme at the public exercises, and the resolutions adopted by the legislature. There shall be printed a sufficient number of copies thereof to be distributed as follows:—To the family of the late governor, twenty-five copies, to the lieutenant governor, members of the executive council, the secretary, treasurer, auditor, and attorney-general of the Commonwealth, ten copies each, and to the secretaries and messengers of the executive department, one copy each. To each member and officer of the general court for the year eighteen hundred and

ninety-six, ten copies. To each messenger and page of the general court, and to each state house watchman and elevator man, one copy. To each reporter regularly assigned a seat in the reporters' gallery, one copy. To the orator and chaplain of the day, twenty-five copies each. To each senator and representative from the Commonwealth in the congress of the United States, one copy. To the state library, twenty copies. To each free public library in the Commonwealth, one copy. To each city and town of the Commonwealth in which there is no free public library, one copy. To each historical society in the Commonwealth, one copy. To each state and territory in the United States, one copy. To the secretary of the Commonwealth for distribution at his discretion, two hundred copies.

Approved May 15, 1896.

RESOLVE TO PROVIDE FOR CARRYING ON THE WORK OF THE SUPPRESSION OF THE GYPSY MOTH.

Chap.100

Resolved, That there be allowed and paid out of the treasury of the Commonwealth a sum not exceeding one hundred thousand dollars, to be expended under the direction of the state board of agriculture for continuing the work of the suppression of the gypsy moth, within the Commonwealth, as provided for in chapter two hundred and ten of the acts of the year eighteen hundred and ninety-one. No part of the above appropriation shall be paid by the state board of agriculture to any person not a citizen of this Commonwealth. The above sum shall be in addition to any balance remaining unexpended of the appropriation made in the year eighteen hundred and ninety-five.

Suppression of the gypsy moth.

Approved May 21, 1896.

RESOLVE PROVIDING FOR AN INVESTIGATION OF THE SUBJECT OF THE VENTILATION OF RAILROAD AND STREET RAILWAY CARS.

Chap.101

Resolved, That the board of railroad commissioners are hereby instructed to make an investigation into the general subject of the ventilation of passenger cars used on steam railroads and street railways, including an investigation into the systems of ventilation now in use and other systems, with special reference to the question whether there are any systems of ventilation which should be adopted in whole or in part by railroad and street rail-

Ventilation of railroad cars, etc.

way corporations in this Commonwealth. Said board shall report in print the result of their investigation, with their recommendations, if any, to the next general court on or before the first Wednesday of February in the year eighteen hundred and ninety-seven.

Approved May 25, 1896.

Chap.102 RESOLVE PROVIDING FOR THE PAYMENT OF EXPENSES IN CONNECTION WITH THE ESTABLISHMENT OF THE BOUNDARY LINE BETWEEN THE COMMONWEALTH OF MASSACHUSETTS AND THE STATES OF NEW HAMPSHIRE AND VERMONT.

Boundary line
between Massa-
chusetts, New
Hampshire and
Vermont.

Resolved, That there be allowed and paid out of the treasury of the Commonwealth a sum not exceeding five thousand dollars, for expenses in connection with the settlement of the boundary line between the Commonwealth of Massachusetts and the states of New Hampshire and Vermont, as provided for by chapter one hundred and six of the resolves of the year eighteen hundred and ninety-five.

Approved June 3, 1896.

Chap.103

Elijah Smith.

RESOLVE IN FAVOR OF ELIJAH SMITH.

Resolved, That there be allowed and paid out of the treasury of the Commonwealth the sum of one hundred dollars to Elijah Smith of Easton, a veteran who served in the United States navy in the war of the rebellion to the credit of the town of Easton, and who never received a bounty for said service. The sum allowed by this resolve shall be paid only to the beneficiary named herein or to his executor or administrator.

Approved June 3, 1896.

Chap.104

John H.
Lamson.

RESOLVE IN FAVOR OF JOHN H. LAMSON.

Resolved, That there be allowed and paid out of the treasury of the Commonwealth the sum of one hundred and thirty-five dollars to John H. Lamson, a veteran who served in the United States army in the war of the rebellion to the credit of the town of Quincy, and who never received a bounty for said service. The sum allowed by this resolve shall be paid only to the beneficiary named herein or to his executor or administrator.

Approved June 3, 1896.

RESOLVE IN FAVOR OF JAMES N. TOLMAN.

Chap.105

Resolved, That in recognition of the long and faithful service of James N. Tolman a messenger in the sergeant-at-arms' department, who has been employed therein as watchman, sergeant-at-arms' messenger, and in charge of the legislative document room, for nearly fifty years, and who is now afflicted with a disease which incapacitates him from further service, the sergeant-at-arms be allowed to continue the said James N. Tolman on his pay roll for the term of one year from the fourth day of June in the year eighteen hundred and ninety-six, at the rate of six hundred dollars per year, which sum shall be paid out of the treasury of the Commonwealth to the said James N. Tolman monthly, and in case of his death the same sum per month shall be paid to his widow to the end of the year above-specified.

James N.
Tolman.*Approved June 3, 1896.*

RESOLVE IN FAVOR OF ELLIS R. HOLBROOK.

Chap.106

Resolved, That there be allowed and paid out of the treasury of the Commonwealth the sum of one hundred and twenty-five dollars to Ellis R. Holbrook; said Holbrook being a veteran who served in the United States army in the war of the rebellion to the credit of the town of West Bridgewater, and who never received a bounty for said service. The sum allowed by this resolve shall be paid only to the beneficiary named herein or to his executor or administrator.

Ellis R.
Holbrook.*Approved June 3, 1896.*

RESOLVE IN FAVOR OF WILLIAM GIBBONS.

Chap.107

Resolved, That there be allowed and paid out of the treasury of the Commonwealth the sum of one hundred and twenty-five dollars to William Gibbons, a veteran who served in the United States army in the war of the rebellion to the credit of the town of Natick, and who never received a bounty for said service. The sum allowed by this resolve shall be paid only to the beneficiary named herein or to his executor or administrator.

William
Gibbons.*Approved June 4, 1896.*

RESOLVE IN FAVOR OF SYLVESTER W. RUSSELL.

Chap.108

Resolved, That there be allowed and paid out of the treasury of the Commonwealth the sum of one hundred

Sylvester W.
Russell.

dollars to Sylvester W. Russell; said Russell being a veteran who served in the war of the rebellion to the credit of the town of North Bridgewater, and who never received a bounty for said service. The sum allowed by this resolve shall be paid only to the beneficiary named herein or to his executor or administrator.

Approved June 4, 1896.

Chap.109

Olive A.
Churchill.

RESOLVE IN FAVOR OF OLIVE A. CHURCHILL.

Resolved, That there be allowed and paid out of the treasury of the Commonwealth the sum of one hundred dollars to Olive A. Churchill, widow of S. Sylvester Churchill; said S. Sylvester Churchill being a veteran who served in the United States army in the war of the rebellion to the credit of the town of North Bridgewater, and who never received a bounty for said service. The sum allowed by this resolve shall be paid only to the beneficiary named herein or to her executor or administrator.

Approved June 4, 1896.

Chap.110

Giles R.
Alexander.

RESOLVE IN FAVOR OF GILES R. ALEXANDER.

Resolved, That there be allowed and paid out of the treasury of the Commonwealth the sum of one hundred and sixty dollars to Giles R. Alexander, a veteran who served in the United States army in the war of the rebellion to the credit of the town of Bridgewater, and who never received a bounty for said service. The sum allowed by this resolve shall be paid only to the beneficiary named herein or to his executor or administrator.

Approved June 4, 1896.

Chap.111

Commission to
revise laws
relating to
taxation.

RESOLVE TO AUTHORIZE THE APPOINTMENT OF A COMMISSION TO INQUIRE INTO THE EXPEDIENCY OF REVISING AND AMENDING THE LAWS OF THE COMMONWEALTH RELATING TO TAXATION.

Resolved, That the governor, by and with the advice and consent of the council, appoint a commission of five persons to obtain, collate and report facts concerning taxation, present a summary of conclusions to be drawn therefrom, and suggest any changes advisable in the laws of the Commonwealth relating to taxation. They shall have authority to employ assistance and to send for persons and papers; and their necessary expenses so far as approved by the governor and council, together with such

compensation to the members as shall be determined by the governor and council, shall be paid from time to time from the treasury of the Commonwealth. They shall make and present their final report to the governor and council not later than the first day of October in the year eighteen hundred and ninety-seven. Two thousand copies of said report shall be printed, one copy of which shall be sent by the secretary of the Commonwealth to each of the members elect of the general court for the year eighteen hundred and ninety-eight, when elected, and the remainder shall be distributed in such manner as the commissioners shall determine.

Approved June 4, 1896.

RESOLVE RELATIVE TO THE CARRIAGE OF BICYCLES BY RAILROAD CORPORATIONS.

Chap. 112

Resolved, That the board of railroad commissioners is hereby instructed to investigate and determine upon what terms and conditions bicycles should be carried within this Commonwealth by railroad corporations under the supervision of said board; to recommend to said railroad corporations such changes in their present rules relative thereto as the board may think desirable for the public interest; and to report to the general court what legislation, if any, the board may think advisable in regard to such carriage of bicycles.

Approved June 4, 1896.

Carriage of bicycles by railroads.

RESOLVE PROVIDING FOR THE PREPARATION OF A SCHEDULE OF FORMS OF PLEADINGS IN CRIMINAL CASES.

Chap. 113

Resolved, That the governor by and with the advice and consent of the council shall appoint three persons learned in the law to investigate and report upon a plan for the simplification of criminal pleadings, and to prepare a schedule of forms of pleadings to be used in criminal cases. They shall make a report in print of their doings to the next general court. They shall receive such compensation from the treasury of the Commonwealth as the governor and council shall determine.

Approved June 4, 1896.

Forms of pleadings in criminal cases.

RESOLVE TO PROVIDE FOR THE ESTABLISHMENT OF A FISH HATCHERY IN THE WESTERN PART OF THE COMMONWEALTH.

Chap. 114

Resolved, That there be allowed and paid out of the treasury of the Commonwealth a sum not exceeding three

Fish hatchery in western part of the Commonwealth.

thousand dollars, to be expended under the direction of the commissioners on inland fisheries and game for the purpose of establishing and maintaining in the western part of the Commonwealth a hatching house for the propagation of trout, salmon and shad, and for the purchase and erection of buildings necessary for that purpose.

Approved June 4, 1896.

Chap.115 RESOLVE IN FAVOR OF CERTAIN VETERANS OF THE TOWN OF BRIDGEWATER.

Certain veterans
of the town of
Bridgewater.

Resolved, That there be allowed and paid out of the treasury of the Commonwealth the sum of one hundred and sixty dollars each to the following named persons: Charles W. Wilber, Marcus Holmes, Freeman Holmes, Charles E. Porcheron, Cornelius B. Holmes, William Holmes, Preston Hooper, Francis E. Allen and George F. Dunbar, said persons being veterans who served in the United States army in the war of the rebellion to the credit of the town of Bridgewater, and who never received a bounty for said service. The sum allowed by this resolve shall be paid only to the beneficiaries named herein or to their executors or administrators.

Approved June 4, 1896.

Chap.116

Andrew J.
Morton.

RESOLVE IN FAVOR OF ANDREW J. MORTON.

Whereas, Andrew J. Morton after having served as first clerk in the office of the tax commissioner for thirty-one years, resigned his position in August last past by reason of ill health; therefore

Resolved, That in recognition of his long and faithful service there be allowed and paid out of the treasury of the Commonwealth to the said Andrew J. Morton the sum of one thousand dollars.

Approved June 5, 1896.

Chap.117 RESOLVE IN FAVOR OF CERTAIN VETERANS OF THE TOWN OF MELROSE.

Certain veterans
of the town of
Melrose.

Resolved, That there be paid out of the treasury of the Commonwealth to the following named persons the sums placed after their names respectively; said persons being veterans or heirs or legal representatives of veterans who served in the United States army in the war for the suppression of the rebellion, to the credit of the town of Melrose, the within claim arising from a vote of said town

passed on the sixth day of May in the year eighteen hundred and sixty-one: Edwin A. Andrews, three hundred and sixty dollars; Elizabeth J. Barron, Bertha M. Armstrong, heirs at law of Henry Barron, five hundred and forty-seven dollars and fifty cents; Eleanor Batchelder, William B. Batchelder, heirs at law of George W. Batchelder, four hundred and thirty-four dollars; Abbie A. Chandler, Frank A. Chandler, Herbert W. Chandler, Henry I. Chandler, heirs at law of Roswell W. Chandler, one hundred and eighty dollars; Jacob M. Ellis, four hundred and fifty-seven dollars and fifty cents; John C. Grover, three hundred and fifty-six dollars; Henry H. Jones, three hundred and sixty dollars; Cushing W. Littlefield, one hundred and eighty-six dollars; Sherman Lynde, five hundred and fifty-eight dollars; James Macey, three hundred and sixty-three dollars; Horace E. Morse, sole heir at law of George J. Morse, five hundred and thirty-five dollars; Thomas J. Munn, three hundred and sixty dollars; Torrey Peabody, Jr., five hundred and thirty-two dollars and fifty cents; Daniel S. Pratt, three hundred and sixty dollars; Albert F. Shelton, one hundred and seventy-nine dollars; Hannah G. Simonds, sole heir of Joseph R. Simonds, five hundred and forty dollars; Samuel Sprague, Jr., three hundred and seventy-two dollars; Thomas B. Stantial, one hundred and forty-nine dollars; Sarah E. Stilphen, Elva F. Stilphen, Florence A. Stilphen, heirs at law of John E. Stilphen, five hundred and sixty-four dollars; George A. Tainter, three hundred and ten dollars; Edward H. Whitney, three hundred and sixty-one dollars; William Wyman, three hundred and twenty-six dollars and sixty-seven cents. The money allowed by this resolve shall be paid only to the beneficiaries named herein or to their executors or administrators.

*Certain veterans
of the town of
Melrose.*

Approved June 9, 1896.

RESOLVE TO PROVIDE FOR THE PURCHASE OF ADDITIONAL PROPERTY FOR THE LYMAN SCHOOL FOR BOYS.

Chap. 118

Resolved, That there be allowed and paid out of the treasury of the Commonwealth a sum not exceeding eight thousand five hundred dollars, to be expended under the direction of the trustees of the Lyman school for boys, for the purchase of the so-called Flagg farm in the town of Berlin, and for the proper repairing and furnishing of the buildings situated thereon. *Approved June 9, 1896.*

*Lyman school
for boys.*

Chap.119 RESOLVE PROVIDING FOR THE PLACING IN THE STATE HOUSE OF A
BUST OF SAMUEL F. SMITH, AUTHOR OF THE HYMN "AMERICA".

Bust of Samuel
F. Smith.

Resolved, That there be allowed and paid out of the treasury of the Commonwealth a sum not exceeding one thousand dollars for a life size marble bust of Samuel F. Smith, author of the hymn "America", to be executed by such person as the governor may select, and to be placed in the state house.

Approved June 9, 1896.

Chap.120 RESOLVE IN FAVOR OF CERTAIN VETERANS OF THE TOWN OF
STONEHAM.

Certain veterans
of the town of
Stoneham.

Resolved, That there be allowed and paid out of the treasury of the Commonwealth the sum of one hundred and twenty-five dollars each to the following named persons: Chester W. Green, United States Navy; Henry Howard, John E. La Claire, Jason D. Washburn, Peter Nolon, Leonard F. Green, Humington Porter, Edward McGrady, James H. Broughton, William O. Ward, Charles L. Nash, Oliver L. Childs, William H. Burdick, Solan A. Bryant, Samuel Berry, junior, and Albert Jenkins, all of the thirteenth Massachusetts volunteers; Benj. W. Jones, first battalion heavy artillery; Thomas Kelley, nineteenth Massachusetts volunteers; Samuel I. Dodge, first company sharpshooters, Massachusetts volunteers; Augustus F. Stevens, sixth Massachusetts light battery; David H. Tilton, first battalion heavy artillery; Eben B. Lawrence, second company sharpshooters, Massachusetts volunteers; Benjamin J. Burdick, second company sharpshooters, Massachusetts volunteers; George W. Young, second company sharpshooters, Massachusetts volunteers; William H. Marden, second company sharpshooters, Massachusetts volunteers; Nathan M. Walton, fifty-ninth Massachusetts volunteers; Henry Poor, sergeant major, seventeenth Massachusetts volunteers; Andrew J. Green, ninety-ninth New York volunteers; George W. Marsh, thirteenth Massachusetts volunteers; Edward W. Blandin, seventeenth Massachusetts volunteers; John E. Frederick, first battalion heavy artillery; said persons being veterans who served in the United States army or navy in the war of the rebellion to the credit of the town of Stoneham, and who never received a bounty for said service. The sum allowed by this resolve shall be paid only to the beneficiaries named herein or to their executors or administrators.

Approved June 9, 1896.

RESOLVE IN FAVOR OF CALVIN FRANCIS HARLOW.

Chap.121

Resolved, That there be allowed and paid out of the treasury of the Commonwealth the sum of one hundred and twenty-five dollars to Calvin Francis Harlow; said Harlow being a veteran who served in the United States army in the war of the rebellion to the credit of the town of East Bridgewater, and who never received a bounty for said service. The sum allowed by this resolve shall be paid only to the beneficiary named herein or to his executor or administrator.

Calvin Francis Harlow.

Approved June 9, 1896.

RESOLVE TO CONFIRM THE ACTS OF FREDRIK PETERSON AS A JUSTICE OF THE PEACE.

Chap.122

Resolved, That all acts done by Fredrik Peterson as a justice of the peace, between the sixteenth day of January in the year eighteen hundred and ninety-six and the thirtieth day of April in the year eighteen hundred and ninety-six, are hereby confirmed and made valid to the same extent as though he had been during that time qualified to discharge the duties of said office.

Fredrik Peterson, justice of the peace, acts confirmed.

Approved June 9, 1896.

RESOLVE TO CONFIRM THE ACTS OF MOSES H. AMES AS A JUSTICE OF THE PEACE.

Chap.123

Resolved, That all the acts done by Moses H. Ames of Lawrence as a justice of the peace, between the twenty-fourth day of December in the year eighteen hundred and ninety-one and the fourteenth day of September in the year eighteen hundred and ninety-two, are hereby confirmed and made valid to the same extent as though he had been during that time qualified to discharge the duties of said office.

Moses H. Ames, justice of the peace, acts confirmed.

Approved June 9, 1896.

RESOLVE AUTHORIZING AND DIRECTING THE STATE HOUSE CONSTRUCTION COMMISSION TO PROVIDE TEMPORARY ACCOMMODATIONS FOR THE SENATE.

Chap.124

Resolved, That the state house construction commission is hereby authorized and directed to provide temporary accommodations for the senate and its officers in that part of the recent addition to the state house which is known as the Bryant addition; such accommodations to be ready for occupancy by the senate next to be chosen; and that for the purpose herein specified said commission is authorized to expend a sum not exceeding ten thousand dollars.

Temporary accommodations for the senate.

Approved June 9, 1896.

RESOLUTIONS.

RESOLUTIONS RELATIVE TO THE NAVIGATION OF THE CONNECTICUT RIVER.

Navigation of
the Connecticut
river.

Whereas, It is desirable that the attention of congress should be called to the urgent need of re-opening the Connecticut river, running through the states of Massachusetts and Connecticut, to navigation, as far up said river as the cities of Springfield and Holyoke in said Commonwealth, for the following reasons:—

First, because the re-establishing of navigation on the Connecticut river will restore to said river the shipping industry that formerly made up a large part of the business of Springfield.

Second, because the Connecticut river is the largest and most important river in New England.

Third, because navigation on the Connecticut river would enable the general government to reach by water its arsenal and armory at Springfield.

Fourth, because by the opening of navigation on said river the general government would save thousands of dollars annually in freight charges.

Fifth, because by making said river navigable millions of dollars would be saved in freight charges to the people living along its banks.

Sixth, because it would benefit a territory populated by more than five hundred thousand inhabitants.

Seventh, because it would advance the prosperity of a section of the Commonwealth of Massachusetts that is increasing in population with marked rapidity.

Eighth, because by removing the present obstructions that impede navigation, as well as the natural flow of the river, the health of the people living along its borders would be less liable to the dangers of malaria, resulting from the overflow of the said river, in the spring of the year, caused by said obstructions.

Ninth, because by making said river navigable, it would again furnish an inexhaustible supply of shad and other migratory fish, which formerly contributed to the yield of food for the inhabitants, and which are now totally unknown in its waters on account of said impediments to navigation; and

Navigation of
the Connecticut
river.

Tenth, because said Connecticut river being a natural water highway, the people's rights to its use as such should not only be protected, but such improvements should be made as would make more valuable their inherent rights to such a highway.

Resolved, That our Commonwealth cannot be true to herself if she remains silent or inactive when her rights are encroached upon by acts within or without her borders.

Resolved, That the people of this Commonwealth have just cause of complaint on account of the existing impediments to navigation on the Connecticut river, inasmuch as said river is a navigable body of water in law as it would be in fact, were it not for the artificial obstructions placed in the way of such navigation.

Resolved, That the inactivity of our Commonwealth in protecting the inherent rights of her citizens in the great water highway which she has recently taken under her protection is a manifest injustice to those citizens who would save millions of dollars by the opening of said river to navigation.

Resolved, That our senators and representatives in congress be requested to use their best endeavors to urge upon congress the importance and justice of re-opening the Connecticut river to navigation as far up as the cities of Springfield and Holyoke.

Resolved, That the secretary of the Commonwealth be requested to forward a copy of these resolutions, properly attested, to each of our senators and representatives in congress.

In Senate, adopted, February 3, 1896.

In House of Representatives, adopted in concurrence, February 6, 1896.

RESOLUTIONS RELATIVE TO THE IMPROVEMENT OF BOSTON HARBOR.

Whereas, The Commonwealth of Massachusetts has ever been in favor of all improvements relating to rivers and harbors which have been of national importance; and

Improvement of
Boston harbor.

Improvement of
Boston harbor.

has uniformly, by the votes of her senators and representatives, helped in securing the appropriations requisite for such improvements, and

Whereas, There is at this time no expenditure more imperatively needed, or of greater national importance, than that required for the improvement of Boston harbor, by providing ample water-ways and safe approaches for the growing commerce of Boston and for the largely increased size for modern steamships ;

Resolved, That the general court requests the senators and representatives of this Commonwealth in congress to use their best efforts to procure the passage of such legislation as may be necessary to secure needful improvements in Boston harbor, by the appropriation of a sum of money adequate for deepening, straightening and widening existing channels as far as the Charlestown navy yard, to the depth of thirty feet at mean low water and to the width of not less than twelve hundred feet, and for opening a fair water-way for vessels of the largest class through Broad sound into the President roads.

Resolved, That the general court confidently asks the effective co-operation of the senators and representatives of the other states of the United States in securing for Boston such a harbor and such approaches thereto as its present condition, position and commerce demand.

Resolved, That the president of the senate and the speaker of the house of representatives be instructed to present or to forward these resolutions to congress.

In Senate, adopted, February 21, 1896.

In House of Representatives, adopted in concurrence, February 24, 1896.

RESOLUTIONS RELATIVE TO VETERANS OF THE MEXICAN WAR.

Veterans of the
Mexican war.

Resolved, That, in the opinion of the general court of Massachusetts, it is expedient that the few remaining veterans of the Mexican war should be allowed the increase of pension from the national treasury for which they have petitioned, and the general court therefore urges upon congress the passage of such legislation as may be necessary to effect such increase.

Resolved, That properly attested copies of these resolutions be transmitted by the secretary of the Commonwealth

to the presiding officers of both branches of congress, and to the senators and representatives in congress from this Commonwealth.

In House of Representatives, adopted, February 24, 1896.

In Senate, adopted in concurrence, February 28, 1896.

RESOLUTIONS RELATIVE TO THE GRANTING OF PENSIONS BY THE NATIONAL GOVERNMENT TO SOLDIERS AND SAILORS CONFINED IN CONFEDERATE PRISONS.

Whereas, A bill is now before the congress of the United States, granting pensions to soldiers and sailors confined in so-called confederate prisons; and

Pensions to soldiers and sailors confined in confederate prisons.

Whereas, Many officers, soldiers, sailors and marines of the federal army and navy were confined in so-called confederate prisons for a great length of time, suffering unusual hardships and contracting diseases and disabilities difficult to fully prove under existing pension laws: Therefore, for the purpose of doing justice to a specially deserving class of surviving veterans of the war,

Be it Resolved, That the senators and representatives of the Commonwealth of Massachusetts, in general court assembled, believe in the justice and equity of House Bill No. 306, to those that served our government as prisoners of war during the war of the rebellion, and request the senators and representatives from this Commonwealth in the congress of the United States to use their influence in favor of the passage of said bill.

Resolved, That copies of these resolutions, properly attested, be transmitted by the secretary of the Commonwealth to the presiding officers of both branches of congress, and also to the senators and representatives in congress from this Commonwealth.

In House of Representatives, adopted, February 27, 1896.

In Senate, adopted in concurrence, March 3, 1896.

RESOLUTION EXPRESSING THE REGARD OF THE GENERAL COURT FOR HIS EXCELLENCY GOVERNOR GREENHALGE, AND THE DESIRE THAT HE MAY BE SPEEDILY RESTORED TO HEALTH.

Resolved, By the senate and house of representatives, that the news of the serious illness of His Excellency, Governor Frederic T. Greenhalge, comes as a sad surprise to the general court and to the people of Massachusetts

Illness of Governor Greenhalge.

**Illness of
Governor
Greenhalge.**

and awakens the profound sympathy of every citizen. It is our earnest prayer that he may speedily recover and be permitted to return to duty in the high office which he adorns. The members of his family and those nearest him in official station have assurance that we share their anxieties and would gladly co-operate in their watchful and tender care. And finally, we wish it were in our power to waft a breath of healing or of comfort to the distinguished sufferer, and with some misgivings for the exactions that the people have increasingly made upon their governors in recent years, we promise that if he is providentially permitted to resume his useful and illustrious career, there will hereafter be greater consideration for his power of endurance, for his physical comfort and his mental rest.

In House of Representatives, adopted, March 2, 1896.

In Senate, adopted in concurrence, March 3, 1896.

RESOLUTIONS ON THE DEATH OF GEORGE D. ROBINSON.

**On the death of
ex-governor
George D.
Robinson.**

Resolved, That the senate and house of representatives desire to express their sense of the loss which Massachusetts has suffered in the death of George D. Robinson, formerly governor of the Commonwealth and for four years one of its representatives in the congress of the United States.

Ability, learning, industry, sturdy honesty and rare knowledge of human nature combined to give him eminence in law, in politics and in affairs of state. He won the confidence and affection of his fellow citizens, and was a noble type of the worthy sons whom the Commonwealth has always delighted to honor.

The memory of his blameless life will long be cherished by his fellow citizens, and will be an inspiration to patriotism and to noble living.

Resolved, That the senate and house of representatives tender to the bereaved family their sincere sympathy.

Resolved, That an engrossed copy of these resolutions be transmitted to the family of the deceased.

In Senate, adopted, March 4, 1896.

In House of Representatives, adopted in concurrence, March 4, 1896.

RESOLUTIONS RELATIVE TO THE EXTERMINATION OF THE GYPSY MOTH.

Whereas, The gypsy moth, an insect pest, has found a lodgment in this Commonwealth, and careful and persistent work is necessary to prevent its spread over others of the United States; and this Commonwealth has appropriated and expended under the direction of the state board of agriculture large sums in the work of exterminating said pest; and said board has asked for the appropriation of the sum of two hundred thousand dollars for the current year, to continue said work;

Extermination
of the gypsy
moth.

Resolved, That the senate and house of representatives of the Commonwealth of Massachusetts, in general court assembled, request the senators and representatives from this Commonwealth in the Congress of the United States to use their influence to induce the United States government to take up the work and carry it on to completion, or to secure from congress a liberal appropriation to assist this Commonwealth in defraying the necessary expenses of the work.

Resolved, That a copy of these resolutions, properly attested, be transmitted by the secretary of the Commonwealth to each of our senators and representatives in congress.

In Senate, adopted, March 30, 1896.

In House of Representatives, adopted in concurrence, April 3, 1896.

RESOLUTIONS ON THE DEATH OF HIS LATE EXCELLENCY, FREDERIC T. GREENHALGE.

Whereas, The senate and house of representatives of the Commonwealth of Massachusetts in general court assembled have learned with profound sorrow of the death of His late Excellency, Frederic T. Greenhalge, the honored and beloved governor of this Commonwealth;

On the death of
His Excellency
Frederic T.
Greenhalge.

Resolved, That in his death the Commonwealth loses an able and devoted governor, the people of the state a tried and loyal friend, the nation a high-minded and patriotic citizen. Having no advantages of fortune or of birth, this son of the people, by the force of his ability and worth, rose to fill high public stations and to render conspicuous services to the Commonwealth which he loved and which

honored him. Treading with cheerful steps the hard road of duty and of opportunity, he attained high success in his chosen fields of usefulness and showed once more the possibilities that, under our free institutions, lie before him who has the heart and strength to make the battle.

His career is alike an inspiration and an example to every ambitious youth and to every man in public life. It bids the youth aspire and fit himself to deserve success. It calls upon him who would win lasting approval in public affairs to cease time serving, and to serve the state as his sense of duty bids; to cast aside timidity and be brave; to rise above the small expediency of the hour and stand for principle and conviction; to heed not the clamor of the day, but to follow the call of duty. Animated by such a spirit, he whom we mourn served well his state, his country and his age, and leaves for his family, his friends and his fellow citizens a proud record and an honored and inspiring memory;

Resolved, That these resolutions be entered on the journals of the two houses and that an engrossed copy of the same be sent to the bereaved family, to whom, in their deep affliction, the sincere sympathy of the senate and the house and of the people of the entire Commonwealth is respectfully tendered.

In Senate, adopted, April 2, 1896.

In House of Representatives, adopted in concurrence, April 7, 1896.

RESOLUTIONS RELATIVE TO THE ESTABLISHMENT OF A NATIONAL
MILITARY PARK AT VICKSBURG.

National military park at Vicksburg.

Whereas, There is now pending in congress a bill, H. R. 4339, "To Establish a National Park to Commemorate the Campaign, Siege and Defense of Vicksburg", which has been favorably reported by the committee on military affairs; and

Whereas, Gettysburg and Vicksburg being inseparably connected and constituting the greatest epoch in the war of the rebellion, should be equally commemorated in the most impressive and enduring manner possible; and

Whereas, The establishment of a national military park to commemorate the campaign and siege of Vicksburg, will be a most appropriate monument to the commander whose genius planned these operations and directed them

to a successful issue, and whose fame and character are so dear to all Americans ; and

Whereas, The state of Massachusetts has not only a general, but also an especial interest in this bill, for the reason that three of her gallant regiments of infantry volunteers, the twenty-ninth, thirty-fifth and thirty-sixth, participated in the operations it proposes to commemorate ; therefore

Resolved, That the senate and house of representatives of the Commonwealth of Massachusetts in general court assembled request the senators and representatives from this Commonwealth in the congress of the United States to use their influence to secure the prompt passage by congress, at this session, of the bill, H. R. 4339, and request the house committee on rules to give the earliest possible date for its consideration by the house.

Resolved, That a copy of these resolutions, properly attested, be transmitted by the clerks of the two branches of the general court to each of our senators and representatives in congress.

In Senate, adopted, April 14, 1896.

In House of Representatives, adopted in concurrence, April 16, 1896.

RESOLUTIONS RELATIVE TO DISCRIMINATION ON ACCOUNT OF COLOR.

Whereas, On the twenty-ninth day of January, eighteen hundred and ninety-six, the Reverend Benjamin W. Arnett, D.D., of Wilberforce, Ohio, senior bishop of the American Methodist Episcopal church, president of the board of trustees of Wilberforce university, and member of many learned societies, was refused entertainment at certain reputable hotels in the city of Boston, because he was a colored man, in spite of statute law against discrimination on account of color ; therefore,

Discrimination
on account of
color.

Resolved, That the senate and house of representatives of the Commonwealth of Massachusetts, in general court assembled, successors of those bodies which repeatedly elected Charles Sumner to the senate of the United States, and for four years received messages from John A. Andrew, hereby express their severest reprobation of such discrimination and their firm conviction of the truth of that clause in the declaration of the independence wherein all men are declared to be created equal. And it is further

Resolved, That still more to be reprobated is the sentiment of any part of the public against any class of our fellow citizens whereby such discrimination is rendered possible, and that a vigorous campaign for statute rights by the persons most aggrieved will meet the hearty approval and co-operation of the two branches of the general court.

In Senate, adopted, April 17, 1896.

In House of Representatives, adopted in concurrence, April 22, 1896.

RESOLUTIONS IN SUPPORT OF THE MONROE DOCTRINE.

In support of
the Monroe
doctrine.

Resolved, That the senate and house of representatives of the Commonwealth of Massachusetts, in general court assembled, has seen with profound gratification that the action of the United States is about to secure a settlement of the controversy between Great Britain and Venezuela which is honorable to both nations, will establish the principle of arbitration in international disputes, and by enforcing the Monroe doctrine, which should be firmly sustained by the United States wherever it justly applies, will protect the smaller American governments from the danger of European aggression.

Resolved, That a copy of these resolutions, properly attested, be transmitted by the secretary of the Commonwealth to each of our senators and representatives in congress.

In Senate, adopted, April 29, 1896.

In House of Representatives, adopted in concurrence, April 30, 1896.

RESOLUTIONS RELATIVE TO AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES ENABLING CONGRESS TO ENACT LAWS REGULATING THE HOURS OF LABOR.

Amendment to
constitution of
the United
States, etc.

Resolved, That in the opinion of the general court of Massachusetts it is desirable that the constitution of the United States should be so amended as to place it clearly within the power of congress to enact laws regulating the hours of labor in the several states according to some uniform system; and the senators and representatives of this Commonwealth in congress are hereby requested to take such action as may be necessary in order to bring the question of so amending the constitution before congress.

Resolved, That properly attested copies of these resolutions be forwarded by the secretary of the Commonwealth to the presiding officers of both branches of congress, and also to the senators and representatives in congress from this Commonwealth.

In House of Representatives, adopted, May 5, 1896.

In Senate, adopted in concurrence, May 13, 1896.

RESOLUTION OF SYMPATHY TO REPRESENTATIVE JOHN A. WOODBURY OF HOPKINTON.

Resolved, That the shocking accident by which Mr. John A. Woodbury of Hopkinton was this morning prevented from coming to the House and as the result of which he now lies in a critical condition with the loss of limb, has brought sadness to the hearts of all his associates. By his faithful and intelligent service he had gained the respect and friendship of all his associates, who now join in expressing their sympathy and the hope of his speedy recovery.

Of sympathy with representative John A. Woodbury.

In House of Representatives, adopted, June 10, 1896.

RESOLUTION OF SYMPATHY TO REPRESENTATIVE SAMUEL S. BOURNE OF MIDDLEBOROUGH.

Resolved, That the House learns with deep regret of the serious illness of one of its members, Mr. Samuel S. Bourne of Middleborough. His modest and gentlemanly demeanor while here, his perfect uprightness, his clear intelligence and his ability in debate have won the highest respect and confidence. It is the earnest wish of his associates, now about to separate, that he may soon be restored to health and that the public may continue to enjoy his valuable services.

Of sympathy with representative Samuel S. Bourne.

In House of Representatives, adopted, June 10, 1896.

The general court of 1896, during its annual session, passed 550 acts and 124 resolves which received executive approval.

Three acts, entitled respectively, "An Act relative to the protection of lobsters", "An Act in relation to membership in the Society of the First Congregational Church in Lowell", and "An Act to incorporate the Massachusetts Pipe Line Company", were passed and laid before the executive for his approval, and were returned, with objections thereto, to the branch in which they originated; were reconsidered, and the vote being taken on passing the same, the objections of the executive to the contrary notwithstanding, they were rejected, two-thirds of the members present and voting thereon not having voted in the affirmative.

The general court was prorogued on Wednesday, June 10, at 12.30 P.M., the session having occupied 162 days.

INAUGURAL ADDRESS

OF

HIS EXCELLENCY FREDERIC T. GREENHALGE

At twelve o'clock on Thursday, the second day of January, his excellency the governor, accompanied by his honor the lieutenant governor, the members of the executive council, and officers of the civil and military departments of the government, attended by a joint committee of the two houses, met the senate and house of representatives, in convention, and delivered the following

ADDRESS.

Senators and Representatives:

It must be apparent even to the casual observer that the Commonwealth is at present in a period of rapid development, of unusual activity, and of unquestionable improvement in many directions. The fact is sufficiently attested by the great enterprises now in progress or in contemplation, among which may be mentioned the metropolitan water supply system, metropolitan sewerage, metropolitan park system, metropolitan or greater Boston, the subway, the public docks project, the improvement of the harbor, and the construction of state highways.

We have then reached an era of development and progress. And these public works and projects mean much for the people of Massachusetts, in promoting their health, convenience and comfort; in fostering and developing business and commerce; in elevating and refining the mind; in short, in adding greatly to the value and beauty of the every-day life of the people. Surely a Commonwealth can find few worthier objects upon which to put forth its strength and to expend its mental and material resources.

The purification of the Charles river, in connection with the development of the great system of metropolitan parks, is a measure recommended by imperative considerations of health and comfort. There should be as far as possible harmony and unity of purpose and effort between those having in charge the extension of the park system along the banks of the Charles river, and those having in charge the improvement of the harbor.

METROPOLITAN WATER SUPPLY.

The metropolitan water board was established under chapter 488 of the acts of the year 1895, for the purpose of constructing and maintaining a system of water works which shall provide a sufficient supply of pure water for the metropolitan water district, comprising the cities of Boston, Chelsea, Everett, Malden, Medford, Newton and Somerville, and the towns of Belmont, Hyde Park, Melrose, Revere, Watertown and Winthrop. Power was given to admit any other city or town within ten miles of the state house, and under this power the city of Quincy has applied to be included within the district.

The general plan of the system to be constructed was fixed by the legislature to be substantially in accordance with the scheme of water supply recommended, after long and careful consideration, by the state board of health. This scheme contemplated in general the taking of the waters of the south branch of the Nashua river, and the taking of other sources of water supply, principally those belonging to the city of Boston, including the Sudbury river.

Surveys and specifications for the aqueduct from Clinton to the Sudbury system have been completed and proposals for its construction are nearly ready to be issued, so that work upon it may be begun early in the year 1896. The work of connecting the Chestnut Hill district with Spot Pond and the Mystic system is still further advanced; routes have been surveyed and contracts are expected to be executed the present month for the furnishing of the iron pipe mains. Plans for pumping stations are in progress, so that upon completion of the aqueduct and the pipe lines there may be no obstacle to the immediate introduction of additional water into the various portions of the metropolitan district.

METROPOLITAN PARKS.

Under authority of the park act of 1893, the Blue Hills, Middlesex Fells, Stony Brook and Beaver Brook reservations, a total of 6,070 acres, had been acquired, in addition to 156 acres in West Roxbury parkway transferred to the care and maintenance of the city of Boston. During the past year these reservations have been amended by the taking of 286 acres and by the abandonment of 75 acres, chiefly to provide for boundary roads or entrances from the nearest highways. In addition, new acquisitions have been made on the Charles river, and at various other points in Newton, Needham, Wellesley and other towns, so that the holdings of the Commonwealth comprise 6,781 acres. The money appropriated for lands and work under the park acts amounts in all to \$2,300,000, of which \$300,000 only can be expended on and about the Charles river.

Of these appropriations \$1,194,651.41 have already been expended. While more than half the claims for land taken have been settled there are several large claims awaiting adjustment; and the development of the park system cannot safely be continued until an appropriation is made which will leave a balance for further work after these claims are paid.

The people of the park district and vicinity seem to feel a keen interest in the development of the system, and it is acknowledged on all sides that the immense benefits resulting from the project amply justify the outlay.

METROPOLITAN SEWERAGE.

Since last January negotiations have been pending between the city of Boston and the board of metropolitan sewerage commissioners with a view to fixing upon the yearly rental value of the trunk sewer, pumping station and outfall of the Boston improved system for the use of our Charles river system, for a term of five years. It was hoped that some agreement might be reached. During the last five years the Commonwealth has paid the city of Boston for this use an average yearly rental of about \$26,000; but now the city of Boston asks about \$52,000 per year for the next five years. Under

the statute the Commonwealth can by the exercise of the right of eminent domain take the right to use the trunk sewer, and leave the question of rental to be determined by the courts or otherwise. The same question will arise when it becomes necessary to use the Neponset valley sewer, which is soon to be constructed. It would be well to consider whether it would not be economy and good policy for the Commonwealth to take the main trunk sewer of the Boston improved system, from the point in Huntington avenue where the metropolitan sewer connects with it to the pumping station, and take the pumping station and outfall sewer now belonging to the city of Boston as a part of the metropolitan system, and have the same thereafter maintained and operated by the Commonwealth.

There may be some question whether chapter 439 of the acts of 1889 is broad enough in its terms to confer upon the commission the authority to take the pumping station and outfall sewer; therefore, if it should seem best to pursue this course, such legislation should be had as would give the power and provide the funds.

METROPOLITAN DISTRICT.

The question of a metropolitan district, embracing the city of Boston and vicinity, has received much consideration, and a report embodying the conclusions reached by the commission having the inquiry in charge will soon be presented for your examination.

RAPID TRANSIT IN BOSTON.

In conformity with the recommendation which I made a year ago the legislature of 1895 passed certain amendments to the laws relating to the construction of subways in the city of Boston. Among other things the powers of the commission in building the subway under the Boylston street and Tremont street malls were enlarged and more fully defined.

As a result of this legislation alterations in the plans were made, furnishing improved and more ample accommodations for the public. The work of construction is already well advanced, and I am glad to be able to state that there is good reason to hope that before the end of

the year the subway will be ready for operation from the entrance in the Public Garden to Park street, and that the present most burdensome congestion on Tremont and Boylston streets will be materially relieved by the transferring from the surface of the street to the subway of those Boylston street cars which now reverse at the Granary burial ground.

Again I ask the legislature to give consideration to such amendments, if any, of the acts relating to subways as the commission may recommend, for the purpose of facilitating the construction or increasing the utility of this novel and much-needed public improvement.

I am confirmed in the opinion that the subway when completed will add greatly to the convenience of the public, and will be found to be in every way a profitable and progressive enterprise. The greatest care must however be taken to prevent its being the object of selfish speculation, and to insure that conservative management of it which will regard the public interests as the prime purpose to be attained; and I am confident that satisfactory arrangements can be made to this end.

HIGHWAYS.

In June, 1894, \$300,000 were appropriated, and in the year 1895 \$400,000 were appropriated, for this work, making a total of \$700,000 appropriated by the legislature for the construction of state highways.

Two hundred and twenty-two petitions have been received to date, representing one hundred and eighty-five towns and fourteen cities, the petitions coming from the county commissioners, the selectmen of towns, and the mayor and aldermen of cities.

Owing to the lateness of the season last year when appropriations were available but little work was completed, so that substantially all the work has been done this year. Ninety miles of state highway have been laid out in seventy different cities and towns, one fifth of the entire number of municipalities in the state. Sixty-two miles of state road have been completed and twenty-eight miles are in process of construction.

The amount expended for construction, up to and including November 16, is \$582,945.64. The bills for work done since that date will not be rendered until

December 14, but it is fair to say that the amount expended for construction will be between \$600,000 and \$625,000.

Ninety-five contracts for the construction of roads have been executed.

No appropriation was made by the legislature in accordance with my recommendation for the purchase of road machinery, but I may state that there has been a large addition to the road machinery of the Commonwealth. The report of 1893 showed that there were in Massachusetts, including the city of Boston, twenty-nine steam rollers, but since then there has been an addition of forty-seven, and the same is true, proportionally, of other road machinery, so that the cities and towns are now better prepared to enter into the work another year than they have been in the past.

All contracts, with the exception of five, have been made with the different municipalities. In five instances, where the municipalities have declined to contract, contracts have been made by competition.

The sections laid out are, according to law, fairly distributed among the different counties of the state.

STREET RAILWAYS.

With the rapid growth of street railways arises the question of the best and most reasonable method of protecting the public interest wherever public authority is invoked to confer powers and privileges. Intelligent and conservative opinion will, I think, be found to strongly favor giving authority to towns and cities to grant charters to street railway companies and kindred organizations, upon such terms and conditions as shall secure the full and just rights of the public, while not unduly limiting or curtailing the opportunities of investors. Contracts between a municipality and a street railway, based upon principles of justice and fairness, would give security to both the public and the railway company.

PUBLIC SCHOOLS.

A simple presentation of statistics will serve to show the present condition of our public schools. A comparison of the year 1895 with the year 1885, embracing a period of ten years, may perhaps throw some light upon the subject.

In 1885 the number of pupils of all ages enrolled in the public schools was 339,714; in 1895, 412,953. Again, the average extent of tuition in 1885 was nine months; in 1895, nine months and six days. In 1885 the amount expended on behalf of each pupil was \$16.38; in 1895, \$19.98; and the increased expenditure is amply justified by the increased educational benefits to the pupils.

The whole number of pupils in other schools of similar grade, viz., academies, parochial and private schools, is 64,688. So that, in spite of the natural increase of the number of pupils of all ages, with the increase of population and the growth of every kind of private school, nearly eighty-seven per cent. of the children of school age are to be found in the public schools to-day. It seems clear therefore that the public schools have gained in public favor.

As to normal schools the buildings of the new normal schools at Barnstable, Fitchburg, Lowell and North Adams have all been contracted for within the limits of the appropriations and are now well under way. It still remains to provide for their furnishings. The normal school at Fitchburg was organized in September last, with forty-three pupils.

The board of education has directed that in 1896 and thereafter candidates for admission to the normal schools must be graduates of high schools, or must have received an equivalent education, and that their examinations shall be in high school as well as in grammar school subjects. Inasmuch as free high school tuition has been made the legal right of every properly qualified child in the state, and is attainable at home by the great majority of pupils, the new standards of admission seem to be within general reach and are likely to improve the qualifications of teachers.

The policy of the state in providing means for the professional training of its teachers has received not only the sanction that comes from half a century of successful trial but also the implied approval of that general normal school movement of the country that had its beginning in Massachusetts. The state's generous provision for such training points to the wisdom of making a beginning, at least, in some policy of demanding that hereafter only trained teachers shall be employed in its public schools.

Next to good teaching in promoting the welfare of the schools comes skilled supervision. Although the employment of superintendents of schools by school boards has been voluntary the practice has grown during the past fifty years, until now it embraces ninety-three per cent. of the entire school population. It may well engage attention whether a plan so fully tried and so amply justified may not be extended to the entire state and fixed as a permanent policy.

The forthcoming report of the board of education will show an increase over last year in the average membership of the public schools, of about thirteen thousand children, and an increase in the average attendance of about fifteen thousand. This gain of attendance upon membership is a significant one. Increasing constancy of attendance means growth in the oversight of parents, in the attractiveness of the schools, in the interest of the pupils, and in the worth of the results. Nevertheless, the weakness, neglect or connivance of parents, the pressure for that gain which comes from children's labor, the unwillingness of some of our towns to impose upon themselves the money burden of enforcing the attendance laws, still work to deprive many children of their schooling. In accordance with a legislative order an investigation has been made into the truancy conditions of the state, and it is expected, as a result, that ways will be pointed out for a still more effective enforcement of the attendance laws. The enforcement of such laws is more helpful to the child, more conducive to the public welfare, and more creditable to the state, than the subsequent enforcement of harsher laws against such children as are negligently permitted to drift into the ranks of criminals. Every child saved to honorable citizenship from the ranks of those whose trend, through association or misfortune, is downward, is an economic gain to the state, to say nothing of the enhanced worth of the child to himself.

NAUTICAL TRAINING SCHOOL.

The nautical training school has attained a high degree of efficiency. The number of cadets is on the average upwards of a hundred. A class of twenty was graduated last year, and the cadets are in great demand for the merchant marine. Improvements have been made in the

course of study, and the commissioners are entitled to great credit for their zealous, intelligent and economical administration. A saving of nearly \$5,000 has been effected this year.

STATE INSTITUTIONS.

I may say generally that the charitable, penal and reformatory institutions of the Commonwealth are in excellent condition. The additions to the buildings at the state prison contribute materially to efficient and economical administration. The industries of the prison also are on a better footing than ever. The union of the functions of superintendent of prison industries and of clerk of the prison commission appears to be practicable and beneficial.

Our hospitals for the insane are equal in point of equipment and administration to any in the country. The institution at Westborough, with improved sanitary arrangements, is doing excellent work, with excellent results. The institution for the treatment of dipsomaniacs at Foxborough has, I believe, passed through the experimental stage and promises to be a success. The misunderstanding of its character and purpose by many who were sent there, and by their friends, has been removed; it is a penal institution, with the hospital features combined, and has a distinct and valuable function among our reformatory institutions. The crowded condition of some of the hospitals should be relieved, and the opening of the Medfield asylum will operate to bring about this result.

The trustees of the Lyman school found it absolutely necessary to purchase a farm and buildings for the use of the school, and, as no appropriation was available, made a temporary arrangement for the purchase money by borrowing from the principal of the Lyman fund. The amount thus borrowed should be reimbursed, and the principal kept unimpaired.

While I believe our institutions for the treatment of the insane have reached a high degree of efficiency, are we to conclude that they are now at a standstill, that further advance is impossible, that the ultimate result in the way of remedial treatment has been attained? Economy; kind, firm and patient dealing with the inmates; neatness, cleanliness and intelligent care in administration;

sanitary and esthetic conditions and surroundings, — all these have been secured. Can there be any forward step made in scientific methods of observation, classification, and the deduction of conclusions, rules and principles, which may be of the greatest importance and benefit in the direction of improved methods of treatment and consequently in the chances of promoting recovery? Even the fixing of a uniform standard in our several institutions in the particulars mentioned could not fail to be productive of material advantage. The employment in one or more of our hospitals of a pathologist who devotes his whole time to the study of these and kindred subjects has already been found to be very satisfactory; and the same kind of work may in the future be found beneficial to our other institutions for the insane.

A good deal of discussion has arisen lately as to the functions of the board of lunacy and charity, both as to the care and control of the minor wards of the Commonwealth and as to the supervision of the hospitals for the insane. It must however be acknowledged that the work of this board has been performed with diligence, fidelity and judgment; and before any change is made, as by the creation of other boards, such as have been suggested, — children's bureau, commission of lunacy, etc., — good cause should be shown therefor.

TUBERCULOSIS IN CATTLE.

The eradication or limitation of tuberculosis in cattle has been carried on with vigor during the last year. There have been examined upon request 235 herds, comprising 2,325 animals, of which 26.5 per cent. were diseased, and there are now many herds waiting to be examined, but which cannot be for lack of funds. The owners of cattle killed have received about \$35 per head. There seems to be less opposition to the work of the commission and an increase of confidence in the methods adopted.

It is true that the whole subject is one of difficulty, and there is need of patience and judgment on all sides in order to obtain the best results. I trust the report of the commission will receive your most earnest consideration.

GYPSY MOTH.

The efforts for the extirpation of the gypsy moth present another subject of great difficulty. The situation is not as encouraging as it might be. Appeals have been made to the general government for assistance in the work but none has as yet been granted although favorable intimations have been given. The ravages of this insect have undoubtedly been restricted and minimized, but no precautions have been sufficient to prevent its doing considerable injury. The area of its depredations has not been extended, which is the main feature of encouragement. Upon the whole the weight of scientific testimony and the best practical judgment seem to favor the continuance of our labors in the direction already taken. To what extent, in what manner, and at what cost this perplexing task is to be prosecuted must be determined by your wisdom, care and experience. The difficulty is too great to be met in any narrow or impatient spirit, or by half-way measures.

TEMPERANCE.

I am pleased to note at this time a continuation and advance in the cause of temperance corresponding to that of the previous year. At the last state election 64 towns voted for license and 257 towns voted against license. We have here a loss of 9 towns, as against the previous year. In the case of cities however a distinct gain is found, — 17 cities voted yes and 15 cities voted against license. In the year 1894, 19 cities voted for license and 11 cities voted against.

Upon the whole the forces of temperance, law and good order are making a steady, gradual, irresistible forward movement, supported by public sentiment and sustained by the practical and successful operation of law. Moral and didactic declarations on the statute book may have some effect on public opinion and conduct, but public opinion backed by practical administration forms the best and safest foundation of law.

THE MILITIA.

The militia of the Commonwealth is in good condition. There is a spirit of enthusiasm and emulation among officers and men which is only satisfied with the best results

attainable. It is necessary however in order to promote the efficiency of the force that the quality of arms and equipments shall be kept up to the highest standard, and much attention has been given to this matter.

It is intended to keep the troops armed with serviceable rifles and that the best camp equipage shall be furnished.

The acquisition of the frigate "Minnesota" as a practice ship will be of the greatest benefit to the naval brigade.

Altogether the militia in every branch of the service is in a very satisfactory condition, and I am glad to say that economy has accompanied the very efficient management of this branch of public work.

ANTIETAM COMMISSION.

The report of the Antietam commission will require your attention. Their work is not yet finished, owing to the fact that the ground for the proposed tablets has not yet been furnished by the United States. A new resolve will be necessary in order to renew the former appropriation, which has not yet been expended.

DISTRICT POLICE.

The district police now numbers forty-three members. Of these thirteen are designated as detective officers. Four are boiler inspectors, whose duties are the inspection of uninsured boilers and the examination of engineers for licenses as such. Two are assigned to the work of inspecting tenement houses, under the law relating to the manufacture of clothing in unhealthy places. There are two female inspectors who are assigned to a special duty of enforcing the laws relating to the employment of women and children. The remainder constitutes two classes of the inspection department, the first class being engaged in enforcing the laws relating to the construction of buildings, ventilation and sanitary provisions, and the examination of alleged dangerous buildings; and the second class have as their work the enforcement of the statutes relating to the guarding of dangerous machinery, the inspection of elevators, regulating the hours of labor and the employment of children, sanitary provisions in factories and workshops.

POLICE.

The board of police in Boston gives a large measure of security and order to the city. If the always vexatious question of liquor licenses could be placed upon some impersonal and non-partisan basis a great advance might be made, consistent with and supported by public opinion. If every applicant could be graded or rated in such a way as to give weight to character, to previous history or record, to location and similar features, the struggle for licenses might be relieved from some of its more objectionable features. In fact, though a suggestion of civil service rules in such cases might seem ironical, some system which would eliminate political and pernicious influences is to be desired.

SAVINGS BANKS.

During the year ending October 31, 1895, the 187 banks received 1,214,171 deposits, amounting to \$80,768,468.89, and there were placed to the credit of depositors \$16,025,893.44 in dividends; during the same period 962,205 withdrawals were made, the amount withdrawn being \$74,309,785.76, leaving the aggregate amount at the credit of depositors on that date \$439,269,861.15, represented by 1,302,479 accounts, an average of \$337.25 to each account. The total assets of the banks amount to \$466,426,722.72.

As compared with the previous year these figures show an increase of 169,522 in number and \$5,821,898.88 in amount of deposits made; a *decrease* of 6,372 in number and an increase of \$185,088.43 in amount of withdrawals; an increase of \$254,929.55 in dividends; an increase of \$22,491,843.62 in aggregate deposits; an increase of \$24,035,457.91 in total assets, and an increase of \$3.05 in the average to each account.

With the exception of the year ending October 31, 1892, the increase in aggregate deposits is larger than in any one year since 1871.

The average sum deposited was \$66.52, as against \$71.74 the previous year.

The average of the withdrawals was \$77.23, as against \$76.53 the previous year.

In addition to the large increase in the deposits of the savings banks the returns of the 119 co-operative banks show an increase of "dues capital" paid in of about \$1,550,000, and an increase of nearly \$1,940,000 in assets.

TRUST COMPANIES.

I ask you to consider whether restrictive legislation is not needed relative to trust companies. There are now thirty-one doing business or incorporated within this Commonwealth. Eleven of them have established a trust department, the others merely receive deposits, discount and collect notes, and in fact transact such business as is ordinarily done by national banks, and, although called trust companies, they are in fact state banks, and ought not to enjoy the privileges of, or be entitled to call themselves, trust companies. They are authorized to receive funds on decrees of courts without furnishing sureties therefor. The savings bank commissioners recommend either that a larger capital be required or that their approval be necessary before trust companies are incorporated.

CORPORATIONS AND OTHER SUBJECTS.

I also ask you to consider whether it would not be for the public interest to secure some legislation which shall require the terms of consolidation of gas or electric light companies to be approved by the board of gas and electric light commissioners, substantially in harmony with chapter 506 of the acts of 1894, applicable to railroad companies.

Section 4 of chapter 346 of the acts of 1886 forbids a gas company to transfer its franchise, lease its works, or contract with any other person for carrying them on, and there seems to be no general law authorizing the consolidation of any of these companies; but if this power exists, or should be granted, it should be exercised subject to the restrictions of said section 4.

Chapter 506 however seems to apply to special railway consolidation acts, similar to those which may be passed applying to gas or electric companies.

A strict supervision of the operations of corporations, both public and quasi-public, would seem to be demanded

for the protection of the public, whether as to increase of capital, extension of functions, leases, or consolidations. And the granting of special charters should be regulated and carefully guarded. The granting of charters to be used only as menaces to legitimate enterprises, or to be sold for speculative purposes, must ultimately work injury to the public.

The recent legislation directed against stock watering has proved effective and beneficial. It would be well further to require all corporations chartered elsewhere than in the Commonwealth to come under all the conditions and restrictions applicable to domestic corporations, especially in regard to the paying in of capital.

So much complaint is made of the harsh and questionable methods of so-called mutual benefit insurance societies or companies that it is incumbent upon you to consider the expediency of exercising more ample state supervision over them.

Let me call your attention to what seems to me a growing evil. Last year more than \$50,000 was expended by the various commissions and boards for counsel fees and legal expenses. This amount will increase rather than diminish if the present system continues. I recommend your consideration of the following suggestions. Reorganize and enlarge the law department of the Commonwealth. Let the attorney-general have compensation sufficient to command his whole time; furnish the department with all the assistants or deputies necessary to perform substantially all the law business of the Commonwealth in the way of advising the several administrative departments, or furnishing other legal assistance. In this way more unity of system and of legal and consistent policy will be obtained than by committing this responsible labor to a dozen or a score of attorneys, acting without reference to any general plan or purpose.

THE CIVIL SERVICE.

Appointment to the classified civil service of the Commonwealth and her cities has been for more than ten years regulated by civil service classification and rules, and the method can now be considered an established part of our administrative system.

In the legislation of 1884 Massachusetts took the lead in providing that the civil service rules and system should be applied to the selection of persons to be employed as laborers in the public service of our cities. Under the authority given to the civil service commissioners to limit the application of the rules they restricted the new system of employing laborers to the city of Boston. The change thereby effected has been commended by her mayors since 1884, as an improvement upon the former method of solicitation and employment, as a relief to the appointing officers, and as an act of justice to applicants for public labor.

The benefit and popularity of these labor regulations have led to their application to some of the other cities. In 1889, at the request of the city of Cambridge, the commissioners applied the rules and system to her labor service. New Bedford followed in 1891, Newton in 1894, the town of Brookline under chapter 267 of the acts of 1894, and Everett quite recently. Citizens of other cities have requested the extension to their municipalities.

The system as enforced is efficient, simple and inexpensive. It requires merely in each city a local registrar or clerk, under the supervision of the civil service commissioners. With other incidental expenses the additional cost will be less than \$300 for each city.

I am informed by the commissioners that this system of labor employment can now be applied to all the cities of the Commonwealth at an annual expense not exceeding in the aggregate \$12,000, in addition to their present general appropriation, and they will request this additional appropriation. I recommend that the request be granted.

In the thirty-two cities of the Commonwealth there are probably 15,000 laborers paid by city treasuries, and naturally more or less under the influence of officers or persons interested in city elections. Assuming the average yearly wage of each to be at least \$500, we have an annual municipal expenditure for public labor aggregating \$7,500,000. At the expense to the Commonwealth of a small portion of one per cent. of this sum the legislature can by the proposed appropriation improve the labor service of our cities, place all the cities upon an equality in the application of the civil service rules, and,

under requirement of law, make the employment of the public laborer depend, not upon political activity or influence but solely upon merit and efficiency.

CITIZENSHIP, SUFFRAGE, ETC.

While great progress has been made it must be remembered that education, material and intellectual development, the heaping up of riches, the improvement of our institutions of correction and charity, the strengthening of police and militia, the purification of political methods, the exaltation of justice and its administration, will avail us nothing, if out of all this improvement and development we do not secure a high standard of citizenship, which is not only the foundation but the end and aim of all good government.

There are various suggestions as to the mode of improving the quality of citizenship, among them the following:—

1. Greater care should be exercised in the administration of naturalization laws so far as our state courts are concerned.

2. A probationary period of residence after naturalization might be prescribed by constitutional amendment. The twenty-third amendment was such a constitutional provision; this was repealed as unnecessary and oppressive; but existing circumstances may seem to justify at least a shorter term of probation.

3. While there may be a division of opinion as to disfranchising for felony, as is done in some states, it seems clear that persons undergoing sentence in penal institutions should not be permitted to vote.

The decisive vote on woman suffrage at the recent state election would seem to show that public opinion will not for some time be prepared to accept any radical change in the established system of suffrage; on the contrary the public mind appears to be growing more and more in favor of biennial elections, and there is no good reason why the question should not be submitted to the people.

FINANCIAL STATEMENT.

The actual expenses incurred as appears by the charges on the books for warrants issued, and warrants that will be issued and paid on the first day of January, 1896, which include salaries and expenses for the month of December and by law become a part of the expenses of 1895, a portion of which is of course a matter of estimate, will amount to \$5,992,338.59. Add to this the interest on the public debt, about \$1,250,000. To this must be added the unexpended appropriations which are likely to be called for during the year 1896, for public buildings and other purposes of that kind which are authorized by the legislature, and so a part of the expenses of 1895, and for which the state tax was raised, amounting to about \$1,050,000, thus giving a total of expenses of all kinds for 1895 of \$8,292,338.59. These figures of course include both what are called ordinary and extraordinary expenses. The ordinary running expenses of the Commonwealth, strictly speaking for quite a number of years, were about seven millions of dollars annually.

The receipts into the treasury for all purposes up to the present time, so far as appears by the books, amount to \$5,042,016.54, to which add the state tax, \$1,500,000, making a total of \$6,542,016.54. Now to this revenue, in order to comply with the laws of the Commonwealth, it is necessary to add the cash on hand January 1, 1896, as the law requires the auditor in reporting the revenue to add to it the cash on hand. I assume that the amount of cash on hand the 1st of January will be \$1,250,000; that, added to the receipts as above-stated, will give a total of \$7,792,016.54, leaving, as appears by these figures, \$500,322.05 to be provided for by taxation. But, taking into account the cash required to carry on the government, with other expenses, it is deemed necessary to have from a million to a million and a quarter of cash on hand at the commencement of the year; and it will therefore be necessary, as will be seen by these figures, to have a tax of at least one and one half millions the present year. Unless the legislature makes some extraordinary grants or incurs some extraordinary expenditures a tax as above-stated will be sufficient to meet all the demands against the Commonwealth, in addition to the

GOVERNOR'S ADDRESS.

revenue, which of course will probably be considerably larger.

I submit also a statement as to the sinking funds and the state debt:—

Statement of the Debt of the Commonwealth.

Total funded debt,	\$29,675,229 40
Less armory loan, Fitchburg Railroad security loan, metropolitan sewerage loans, metropolitan parks loans and metropolitan water loan,	16,090,000 00
Total,	\$13,585,229 40
Amount of sinking funds for the redemption of the above, exclusive of the armory, Fitchburg Rail- road securities, metropolitan sewerage, etc.,	7,444,001 42
Net debt,	\$6,141,227 98

The deductions are made on account of the armory loan because it is to be paid from a sinking fund sustained and increased each year by the taxation of the cities and towns in which armories are located.

The Metropolitan Sewerage Loan will be paid by a sinking fund created and endowed by the taxation of the several cities and towns benefited by the sewer.

The Metropolitan Parks Loan will be paid by a sinking fund created and endowed by the taxation of what is known as the metropolitan district, and the Metropolitan Parks Loan, Series 2, one half of which, that is to say, \$250,000, will be paid in the same manner, also the Fitchburg Railroad securities loan, \$5,000,000. The principal and interest will be paid by the Fitchburg Railroad Company bonds, which, with the Fitchburg Railroad Company's stock, constitute the sinking fund established for their redemption.

The following instalments of the public debt will become due during the present year, to wit: Danvers Lunatic Hospital Loan, \$450,000, due Sept. 1, 1896; Worcester Lunatic Hospital Loan, \$350,000, due Sept. 1, 1896. These loans will be paid from the sinking fund, which is ample for the purpose.

TAXATION.

Our laws of taxation, which have for many years been the subject of constant discussion, should have careful consideration, as recommended in my first message. The

sentiment seems to be prevalent that our present law is complicated, impracticable and inequitable. If, as experience seems to have proved, it is impossible to fairly and efficiently collect our taxes under the present law, and if the method of assessing under the law is, as seems evident, so variable in different communities and in the same community at different times as to cause constant disturbance and an almost excusable effort on the part of some of our citizens to evade payment of the full legal levy, it is certainly time for a thorough investigation of the subject, with the definite purpose of enacting a clear and equitable law, which can be enforced in a fair and just manner. I desire also to call especial attention to the fact that our laws seem to bear oppressively on our business and industrial enterprises, which should be especially fostered and encouraged, as the source from which most of our citizens derive their livelihood. Massachusetts must enter into competition with other states; and experience has shown that there is no force more potent in bringing industrial development, with all its attendant advantages of labor for our people, business for our merchants, markets for our farmers and traffic for our railroads, than wise and liberal laws of taxation.

MISCELLANEOUS.

The commissioner of public records is charged with a very important duty and his suggestions as to changes in the laws relating to the preservation of our public records will, I think, commend themselves to your judgment.

The boards of registration in medicine, pharmacy and dentistry are doing diligent and effective work, and their labors tend to raise the standard of the several professions included in their supervision, and their reports and recommendations are worthy of careful consideration.

The publication of the province laws is proceeding with all the despatch consistent with accuracy and judgment.

The work of the military and naval historian has been prosecuted with diligence and two volumes are nearly completed. In order to make a complete history the work should contain an alphabetical list of all enlisted men, and, if possible, of sailors, their records being given in the same way as the record of officers.

Gentlemen : — The purity and character of a legislature rest largely with the legislature itself, and ultimately — or rather primarily — with the people. All laws based upon a reckless assumption of the inherent baseness of legislatures are as likely to aggravate as to remedy real evils, which are, I trust, at present, small rather than great. The character of the legislator of Massachusetts should be as high as the character of Massachusetts ; it is in fact the character of Massachusetts. Yet every safeguard, every precaution, every danger signal, must be used to warn, to admonish, to deter the weakest — or the meanest — mind which could possibly entertain the thought of prostituting the high public trust reposed in a legislator to selfish or sordid ends. Stringent legislation, calculated to emphasize to the legislator the necessity of being above suspicion, and to warn the lobbyist of the peril he runs in even approaching the legislator with corrupt proposals, will serve to prevent those vague rumors which from time to time disturb the public mind without crystallizing into specific cases. Such legislation would prevent rather than recognize the alleged abuses of the lobby.

The growth and improvement of the Commonwealth as here set forth are not limited by material or physical lines. Charity is learning to be business-like without being sordid ; correction is becoming gentle without becoming weak ; education is bountiful in her gifts, but not extravagant. We must not however fall into any such self-complacency as to reject or discourage improvement and further progress. We must not be unwilling to learn from others. Only by maintaining this earnest, open, emulous spirit can we hold and maintain the “glorious gains” of the past and reach out to the future for equal or greater achievements.

Gentlemen, I have thus rapidly sketched for you the present condition of the Commonwealth. Massachusetts now commits her affairs to you. You take upon yourselves a great trust. May you be inspired in the performance of your duty by a spirit of genuine patriotic love and pride. In all confidence the people commit to your care the future of the Commonwealth.

SPECIAL MESSAGES.

THE FOLLOWING SPECIAL COMMUNICATIONS WERE MADE BY HIS
EXCELLENCY THE GOVERNOR TO THE LEGISLATURE
DURING THE ANNUAL SESSION.

[To the senate and house of representatives, January 6, 1896.]

I have the honor to present, in compliance with chapter ^{Pardons.} 50 of the resolves of 1860, a report of the forty pardons issued by the governor and council during the year of my administration just closed.

Of the number thus released six were in the state prison, twenty-two in houses of correction, six in the Massachusetts reformatory, four in the reformatory prison for women in Sherborn, and two in the house of industry on Deer Island. Sickness was the controlling reason for the discharge of nine, two of whom have since died.

FREDERIC T. GREENHALGE.

No. 1. HOYT O. CHAPIN. Convicted of larceny, Superior Court, Franklin county, Nov. 27, 1893. Sentenced to the house of correction for two years. Pardoned Jan. 24, 1895, upon the recommendation of judge Bishop who imposed the sentence, and district attorney Aiken who prosecuted the case, on the ground that he had been sufficiently punished for the slight offence committed. At the time of sentence it was supposed that he was addicted to crime; it has since been learned that he had never before been convicted of any offence, and that the corn which was stolen was taken under a supposed claim of a right to do so.

No. 2. JAMES McMAHON. Convicted of breaking and entering and larceny, Superior Court, Middlesex county, March 8, 1894. Sentenced to the house of cor-

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rection for eighteen months. Pardoned Feb. 7, 1895. The prisoner was dangerously ill with tuberculosis, with no hope of recovery. He died March 12.

No. 3. **HUGH J. KELLIHER.** Convicted of assault, Superior Court, Middlesex county, Nov. 23, 1893. Sentenced to the house of correction for two years. Pardoned Feb. 21, 1895, upon the recommendation of the judge and probation officer of the First District Court of Eastern Middlesex, and other leading citizens of Malden. The assault, as has since been proved, was not a serious one. The committee believed that he had been sufficiently punished for the slight offence committed, and that—as immediate employment awaited him—his release would be a benefit to himself and family.

No. 4. **WILLIAM HALEY.** Convicted of breaking and entering, Superior Court, Middlesex county, June 10, 1890. Sentenced to the house of correction for fifteen months. Escaped October 4, 1890, recaptured Jan. 17, 1895. Pardoned Feb. 21, 1895, upon the certificate of the prison physician that the prisoner was suffering from phthisis pulmonalis, and in all probability could live but a short time.

No. 5. **JOHN CONNORS.** Convicted of larceny, Municipal Court, Boston, May 21, 1894. Sentenced to the Massachusetts reformatory on an indeterminate sentence. Pardoned Feb. 21, 1895, upon the recommendation of the prison commissioners. Connors, who had been out of employment for several months, stole a musical instrument and pawned it for two dollars, which he took to his wife, who was under hospital treatment, to pay for her medicine and food. He would not tell his wife where he got the money; she thought he borrowed it. This was his first offence. His wife, who was in feeble health, was without any means of support. Benevolent people, who had assisted in supporting his wife and child, had secured immediate employment for him.

No. 6. **EDWARD MILLS.** Convicted of larceny, Superior Court, Suffolk county, Aug. 13, 1894. Sentenced to the house of correction for one year. Pardoned March 7, 1895, upon the ground of humanity. The prisoner's

wife and two children had been supported during his imprisonment by his brother-in-law, who had been killed by the cars a few days previous to the granting of the pardon, leaving both families entirely destitute of the necessities of life. The arresting officer recommended a pardon. Pardons.

No. 7. **FRED H. HILL.** Convicted of perjury, Superior Court, Plymouth county, Feb. 17, 1892. Sentenced to state prison for five years. Pardoned March 14, 1895, upon the recommendation of the district attorney who prosecuted the case. The crime was committed during the trial of a friend of the petitioner's for maintaining a liquor nuisance. The petitioner reaped no benefit, emolument or reward from the perjury. The rights of no individual were in any way impaired. About that time the crime of perjury in the courts of Plymouth county had become flagrant, and it was felt that some firm stand should be taken in order to stop it. It was believed that he had been sufficiently punished for his mistaken zeal in endeavoring to aid a friend.

No. 8. **ARTHUR ASHWORTH.** Convicted of larceny, Police Court, Lowell, Nov. 17, 1894. Sentenced to the Massachusetts reformatory on an indeterminate sentence. Pardoned March 14, 1895, upon the recommendation of the commissioners of prisons, who were of the opinion that this case might properly have been dealt with by probation. His age was fifteen years.

No. 9. **GEORGE W. CRAPO.** Convicted of breaking and entering and larceny, Superior Court, Bristol county, July 17, 1893. Sentenced to the house of correction for three years. Pardoned March 21, 1895. Crapo was very ill with a complication of diseases, with little hope of recovery. He died about six months after his release.

No. 10. **JOHN CONNOLLY.** Convicted of violating the license law, Municipal Court, South Boston, Jan. 25, 1895. Sentenced to pay a fine of fifty dollars. Pardoned March 22, 1895. The prisoner was unable to pay the fine, and in default of payment had been held for nearly two months in the house of industry. His family

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was entirely without means of support. Benevolent people had secured employment for him if released.

No. 11. CHARLES H. CHURCHILL. Convicted of drunkenness, Police Court, Marlborough, Oct. 27, 1894. Sentenced to the Massachusetts reformatory on an indeterminate sentence. Pardoned March 28, 1895, upon the recommendation of the commissioners of prisons and the justice who imposed the sentence, on the ground that he had been sufficiently punished and will hereafter lead a temperate life.

No. 12. WILLIAM HAMILTON. Convicted of embezzlement, Superior Court, Suffolk county, March 30, 1892. Sentenced to the state prison for five years. Pardoned April 4, 1895. Hamilton became involved in a questionable transaction in connection with the order of the Fraternal Circle. They had consulted counsel and supposed they had a legal right to do as they had done in the premises. Restitution was made. Three years of the sentence having been served it was the opinion of the council that the ends of justice had been answered. Leading citizens of Somerville urged a pardon. His previous character had been of the best.

No. 13. JAMES E. MURPHY. Convicted of the larceny of a necktie worth fifty cents, Municipal Court, Boston, Oct. 23, 1894. Sentenced to the Massachusetts reformatory on an indeterminate sentence. Pardoned April 11, 1895. The commissioners of prisons recommended the pardon on the ground of excessive sentence and the need of his family of his assistance.

No. 14. HARRY P. ENTWISTLE. Convicted of assault with intent to kill, Superior Court, Middlesex county, Feb. 13, 1892. Sentenced to the state prison for fifteen years. Pardoned April 11, 1895, for the following reasons: first, his meritorious and heroic conduct in assisting the officers in suppressing a riot at the state prison at the risk of his life; second, his uniform good conduct while in prison; third, public safety and the promotion of good order and discipline in all the prisons of the Commonwealth will, in the opinion of the pardon

committee, be materially promoted by granting the pardon. The complainant, who was not seriously injured, strenuously urged a pardon. Pardons.

No. 15. BENIGNO CAMUSO. Convicted of polygamy, Superior Court, Suffolk county, April term, 1894. Sentenced to the house of correction for two years. Pardoned April 12, 1895. Camuso's first wife had left him and gone off with another man. Knowing no English and being ignorant of our laws he married again, supposing he had a right to do so. His first wife has died since he was sentenced; the second wife with her two children were in the state almshouse; friends stood ready to give him employment; he was re-married to the second wife immediately after his release.

No. 16. GEORGE ELDERKIN. Convicted of larceny, Superior Court, Essex county, Feb. 13, 1894. Sentenced to the house of correction for three and one half years. Pardoned April 18, 1895, upon the certificate of the prison physician that the prisoner was suffering from the effects of la grippe, and was not likely to recover.

No. 17. HENRY E. WHITE. Convicted of breaking and entering and larceny, Superior Court, Middlesex county, Nov. 6, 1893. Sentenced to the house of correction for three years. Pardoned April 25, 1895. White was in an advanced stage of tubercular phthisis, with no hope of recovery.

No. 18. JOSEPH CARR. Convicted of larceny, Superior Court, Suffolk county, August term, 1894. Sentenced to the house of correction for eighteen months. Pardoned May 2, 1895, upon the recommendation of the complainant and district attorney. This was the prisoner's first offence; he had previously borne a good reputation. He had a wife and six small children depending upon him for support. It was the opinion of the pardon committee that the granting of the pardon would be no detriment to justice.

No. 19. JAMES HOGAN. Convicted of larceny, Third District Court, Bristol county, Nov. 21, 1894. Sentenced

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to the house of correction for eighteen months. Pardoned May 29, 1895. He was dangerously ill with an organic disease of the heart and liable to die at any time.

No. 20. DANIEL J. CUNNINGHAM. Convicted of larceny, Superior Court, Suffolk county, May 19, 1894. Sentenced to the Massachusetts reformatory on an indeterminate sentence. Pardoned June 5, 1895, upon the recommendation of the commissioners of prisons. The prisoner was in the first stages of consumption, with little hope of recovery if he remained in the reformatory.

No. 21. ALEXANDER BRIGHT. Convicted of breaking and entering, Superior Court, Hampden county, May 9, 1894. Sentenced to the house of correction for two years. Pardoned June 13, 1895, upon the recommendation of the district attorney and sheriff of Hampden county, upon the ground that the crime committed was far less serious than was represented at the trial.

No. 22. FRANK H. SCANLON. Convicted of violating the license law, Superior Court, Worcester county, May 21, 1895. Sentenced to pay a fine of sixty dollars. Pardoned July 3, 1895, upon the recommendation of the district attorney and the prison physician. Scanlon was in consumption, with little prospect of recovery.

No. 23. ALBERT JOY. Convicted of murder in the first degree, July 12, 1877, and sentenced to be hanged Oct. 19, 1877. Owing to there being grave doubts as to his guilt, the evidence at the trial being circumstantial, the governor and council commuted the sentence to imprisonment for life, Oct. 16, 1877. After remaining in prison eighteen years he was conditionally pardoned July 5, 1895. After many and careful hearings, at which evidence was introduced which was not presented at the trial, the pardon committee was satisfied that the object of imprisonment had been accomplished and that no public interest would suffer by his release. He had always protested his innocence in the most emphatic manner. His prison conduct had been excellent. He had a good home, where he would be aided to lead a useful life.

No. 24. EDWARD H. FARRELL. Convicted of drunkenness and assault, Superior Court, Norfolk county, Sept. 13, 1893. Sentenced to the house of correction for three and one half years. Pardoned July 24, 1895, upon the recommendation of the district attorney, sheriff and prison physician. Prisoner was seriously ill with acute consumption, with little hope of recovery unless released. Pardons.

No. 25. HERBERT H. GRAINGER. Convicted of assault and battery, First District Court, Northern Middlesex, June 25, 1895. Sentenced to the Massachusetts reformatory on an indeterminate sentence. Pardoned July 25, 1895, upon the recommendation of a large number of the leading citizens of Pepperell, where the alleged crime was committed. The commissioners of prisons made a very careful investigation, and were strongly of the opinion that the sentence was unjust and that the young man should not have been sent to the reformatory.

No. 26. IDA L. MOORE. Convicted of vagrancy and of being idle and disorderly, Police Court, Lee, July 17, 1893. Sentenced to the reformatory prison for women during minority. Pardoned July 31, 1895. The prisoner had a home to go to in Maine, where she would be under good influences and entirely removed from her former associates. The pardon committee were of the opinion that she would profit by the punishment already received, and that it had been sufficient.

No. 27. GEORGE A. HODGNEY. Convicted of larceny, Superior Court, Middlesex county, February term, 1895. Sentenced to the house of correction for fifteen months. Pardoned Sept. 4, 1895, upon the recommendation of the persons from whom the property was stolen, one of whom was ready to give him steady employment. His crime consisted of breaking into hen houses in the town of Hopkinton. His previous character had been good.

No. 28. CHARLES J. BALL. Convicted of assault, Superior Court, Worcester county, Jan. 24, 1894. Sentenced to the house of correction for three years. Pardoned Sept. 4, 1895. The district attorney certified that facts had come to his knowledge, not appearing at the

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trial, which had modified the view he had taken of the defendant's guilt; that he had reason to believe that it was a case where executive clemency might properly be exercised, and that public justice would not be prejudiced by such action. This was the prisoner's first offence. Pardon was urged by the selectmen and many of the leading citizens of Holden, where the crime was committed.

No. 29. MICHAEL CONNOLLY. Convicted of violating the license law, Municipal Court, South Boston, July 26, 1895. Sentenced to pay a fine of fifty dollars, for non-payment of which he was committed to the house of industry. Pardoned Sept. 26, 1895, upon the recommendation of the justice who imposed the sentence. The prisoner, who was too poor to pay his fine, had been in prison for two months, which was considered an adequate punishment for the offence, as he had been engaged in the illegal traffic not more than two or three weeks when arrested. His family was in destitute circumstances owing to his imprisonment.

No. 30. MARGARET A. FOLEY. Convicted of stubbornness, Municipal Court, South Boston, May 24, 1895. Sentenced to the reformatory prison for women for one year. Pardoned Oct. 10, 1895, upon the recommendation of the commissioners of prisons. During her imprisonment she had been quiet and well-behaved. Since her sentence her mother has died, and her father, who is nearly blind, left without a housekeeper. The pardon committee was of the opinion that she would profit by the punishment she had received, and that it had been sufficient.

No. 31. JOSEPH GREGOIRE. Convicted of lewd and lascivious cohabitation, Superior Court, Worcester county, Oct. 17, 1894. Sentenced to two years in the house of correction. Pardoned Oct. 17, 1895. The district attorney, after a conference with Justice Braley, who passed sentence in the case, was led to the conclusion that the exercise of executive clemency would not be prejudicial to the administration of the law. The prisoner was accordingly pardoned upon the completion of just half his sentence, and returned immediately to his home in Belgium. His associate in crime, who was living with him as his wife,

he having a wife in Belgium, was allowed to go without ^{Pardons.} punishment, and returned to her friends in France.

No. 32. CHARLES W. CAVANAUGH. Convicted of larceny, Superior Court, Suffolk county, March 12, 1894. Sentenced to two years in the house of correction. Pardoned Oct. 17, 1895, upon the recommendation of the commissioner of institutions of the city of Boston, and the district attorney of Suffolk county. It appeared that the crime was of a less serious nature than was represented at the trial. He was convicted upon the evidence of a pawn-broker since found to have been an untruthful witness.

No. 33. CHARLES CRONIN. Convicted of larceny, Superior Court, Suffolk county, March 12, 1894. Sentenced to two years in the house of correction. Pardoned Oct. 17, 1895, for the same reasons as No. 32.

No. 34. BRIDGET MAHONEY. Convicted of drunkenness, Municipal Court, Boston, June 19, 1895. Sentenced to the reformatory prison for women for one year. Pardoned Oct. 31, 1895. The prisoner was a married woman but nineteen years old. She had a child twelve months old who was ill and needed a mother's care and attention. The father was not able to provide for its wants in the mother's absence. It was believed that the young woman would profit by the imprisonment already served and would hereafter abstain from the use of intoxicating drink.

No. 35. WILLIS E. FLINT. Convicted of larceny, Superior Court, Middlesex county, February term, 1895. Sentenced to the house of correction for fifteen months. Pardoned Nov. 11, 1895. This was Flint's first offence and was not of a serious nature. His previous reputation had been of the best. The pardon committee was of the opinion that justice had been answered by the punishment already suffered.

No. 36. MAX PEARLSTEIN. Convicted of larceny, Superior Court, Suffolk county, Dec. 31, 1894. Sentenced to the house of correction for two and one half years. Pardoned Dec. 5, 1895. The pardon committee

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was of the opinion that justice had been satisfied by the punishment already suffered, as there were mitigating circumstances connected with the case which, if presented at the trial, would undoubtedly have materially lessened the sentence.

No. 37. MARY GIBBONS. Convicted of being idle and disorderly, Municipal Court, Boston, Aug. 24, 1895. Sentenced to the reformatory prison for women for one year. Pardoned Dec. 12, 1895. The prisoner was the only daughter of most respectable parents. As this was her first offence, and as her home surroundings were good, she was thought to be a proper subject for executive clemency.

No. 38. TIMOTHY J. HAYES. Convicted of breaking and entering, Superior Court, Norfolk county, Sept. 20, 1895. Sentenced to the house of correction for two years. Pardoned Dec. 19, 1895. The pardon committee was satisfied that the prisoner was innocent of the crime for which he was sentenced. The principal witness upon whose testimony he was convicted has since been found to be unreliable and untruthful. The district attorney and a portion of the jury believed there was doubt as to his guilt, and were of the opinion that the ends of justice would be met if he were released.

No. 39. PETER SHELLMER. Convicted of robbery, Superior Court, Suffolk county, May term, 1894. Sentenced to the state prison for seven years. Pardoned Dec. 26, 1895, upon the recommendation of district attorney Stevens. Shellmer and one George McQueeney were married to sisters, and lived in a tenement house of six tenements. The party assaulted was a milkman. He had a helper who lived in this tenement house, and was accustomed to call early in the morning for him. The prisoners having heard his footsteps previous mornings, lay in wait for him, believing him to be a burglar, and severely assaulted him. The district attorney was of the opinion that it was simply an assault under a misapprehension. Shellmer's employers had always found him an industrious, sober and hard working man, and were ready and anxious to give him employment as soon as he could be released.

No. 40. GEORGE MCQUEENEY. Convicted of robbery, ^{Pardons.} Superior Court, Suffolk county, May term, 1894. Sentenced to the state prison for seven years. Pardoned Dec. 31, 1895. The circumstances which led to the pardon of Shellmer, No. 39, apply equally to the case of McQueeney.

[To the honorable senate and house of representatives, Jan. 6, 1896.]

I transmit to you herewith for your information and action the seventh annual report of the state house construction commissioners.

[To the honorable senate and house of representatives, Jan. 10, 1896.]

I transmit herewith, for your consideration and action, a communication from the governor of the state of Tennessee inviting the people of this Commonwealth to attend the grand industrial interstate and international exposition in the city of Nashville, beginning Sept. 1, 1896.

[To the honorable senate and house of representatives, Feb. 4, 1896.]

I herewith transmit for your consideration and action a supplementary report of the "board of commissioners for the promotion of uniformity of legislation in the United States", authorized by chapter 405 of the acts of 1891.

[To the honorable senate and house of representatives, Feb. 24, 1896.]

It is my duty to announce to the legislature the death, on Saturday, February 22, of ex-governor George Dexter Robinson.

The life of a noble public servant has been suddenly terminated. The public services of George D. Robinson cannot be over-estimated, whether in national or state affairs. His character represents the ideal of the state of Massachusetts. His sturdy honesty, his inflexibility of purpose, his training and industry, all contributed to make him a valuable member of the community, whether in public or private station. His death is a great bereavement to the people, and the Commonwealth is a sincere mourner.

I recommend your honorable body to take such action upon this sad event as may seem to you fitting.

THE FOLLOWING SPECIAL COMMUNICATIONS WERE MADE TO THE LEGISLATURE, BY HIS HONOR, THE LIEUTENANT GOVERNOR, ACTING GOVERNOR, SUBSEQUENT TO THE DECEASE OF GOVERNOR GREENHALGE.

[To the honorable senate and house of representatives, March 5, 1896.]

His Excellency, Frederic T. Greenhalge, governor of the Commonwealth of Massachusetts, died at his home in Lowell this fifth day of March at 12.30 A.M. It is with a profound sense of personal sorrow that I make this official announcement to your honorable bodies.

Not for seventy-one years has the Commonwealth been called to mourn the death of her supreme executive magistrate during his term of office. The grief which her loyal citizens would ever feel at the untimely death of one in high office is increased by their appreciation of the ability, fidelity and courage which governor Greenhalge has displayed in the performance of his laborious and responsible duties. His devotion to the best interests of the Commonwealth has been conscientious and unremitting. He has not spared time or strength in her service.

By his manly independence of thought and speech, by his high sense of loyalty and patriotism, and by his kindliness of nature, he has endeared himself to all her citizens. His memory is safe in their keeping. His name will find permanent place on the roll of those who have faithfully and ably served the Commonwealth of Massachusetts.

Your honorable bodies will doubtless take such action as may seem to you befitting this solemn occasion, and I shall endeavor to meet the convenience of any committees that may be appointed, with the view of conferring as to the best methods of showing respect to his honored memory.

[To the honorable senate and house of representatives, March 13, 1896.]

I have the honor to call to your attention the fact that by chapter 109 of the resolves of 1893 a sum of money was appropriated by the legislature of that year to be expended by the governor and council in providing a suitable and appropriate gift to the government of the United States to be placed in the battleship "Massachusetts," in recognition of the honor paid the Commonwealth

in the selection of the name of said battleship. Owing to the length of time requisite to the construction of a vessel of this class it was not found possible to take any action under this resolve before the close of the year 1894, when the sum so appropriated reverted, under Public Statutes, chapter 16, section 30, to the general treasury, and cannot be paid out except upon a new appropriation.

The battleship which is to bear the name of this Commonwealth will shortly be completed, and I deem it my duty to present these facts to your consideration, with the recommendation that such action be taken as shall carry out the intent of the resolve of 1893 and shall seem to you befitting the dignity of the Commonwealth.

[To the honorable senate and house of representatives, April 15, 1896.]

I transmit to you herewith for your information and use the accompanying report of the Massachusetts board of managers at the cotton states and international exposition, appointed under chapter 113, resolves of 1895.

[To the honorable senate and house of representatives, April 27, 1896.]

I return herewith to the branch of the legislature, in which it originated, a bill entitled "An Act relative to the Protection of Lobsters," together with my objections thereto in writing.

This act lessens the protection which our statutory law for twenty-two years has afforded, by reducing the size at which lobsters may be taken and sold from 10½ to 9 inches. It does not require proof by statistics, but is a fact of common observation that during this period the average size of lobsters placed on the market for sale has diminished, while the price has advanced. This shows that under the conditions that have existed, the supply of this important food has not kept pace with the increasing demand.

If it could be shown that the proposed legislation would prove of more than temporary benefit to those immediately occupied in this fishery, and that this benefit would not be off-set by injury to the great body of our people, it would deserve and would receive executive approval. But from the most careful examination which I have been able to give to this matter, I am satisfied that this is not the case.

There is no unanimity in favor of this legislation even among those actually engaged in the industry. Not only from dealers in lobsters, but from numerous lobster fishermen as well have come earnest protests against the change. Improvident and illegal methods employed by those beyond the jurisdiction of this Commonwealth have doubtless helped to make more difficult the livelihood of our citizens engaged in this fishery; and in certain localities the condition of those who yield a ready obedience to the law, which in any Massachusetts community must always constitute the great majority, is without doubt one of diminishing profit and increasing hardship.

But the executive must look to the effect of proposed legislation upon the people of the whole Commonwealth, and believing that the effect of this bill, if enacted, even if temporarily beneficial to a part of the population of the state, must be finally a detriment to all, I am unable, in the performance of the duty imposed upon me by the constitution, to approve it.

[To the honorable senate and house of representatives, May 2, 1896.]

I return without my approval, to the branch in which it originated, a bill entitled "An Act in relation to membership in the society of the First Congregational Church of Lowell." I present herewith my objections thereto in writing.

The bill in terms requires the admission of persons to membership in the society of the First Congregational Church of Lowell who are not now members, and this without the consent and even against the will of the present members of the society. This is done avowedly for the purpose of effecting a change in the action of the corporation upon certain contested issues, by changing the present minority to a majority.

I do not recall an instance in the legislation of this Commonwealth in which this has been done or attempted before. Certainly such legislation is most unusual.

If the society of the First Congregational Church of Lowell is a corporation owning property, the effect of the bill would be practically an alienation of the rights of the existing members in the corporate property without their consent. Such legislation would plainly be unconstitutional.

It is claimed, however, that the corporation owns no property. I understand the facts in relation to this matter to be that the former owners of the land on which the meeting-house stands made a deed of the same to the First Congregational Church of Lowell, a voluntary ecclesiastical association without corporate existence. This was in 1870. In 1873 the church, desiring to raise money upon the property, applied to a savings institution for that purpose, and was advised by the attorney of said institution that the deed to the church was void, there being no corporation so entitled. Accordingly a new deed was made from the original proprietors to the society of the First Congregational Church of Lowell, a body duly incorporated, and the society thereupon entered into possession of the property and has continued in peaceable and undisputed possession thereof since that time, being a period of more than twenty years. Money has been loaned to the society upon the security of a mortgage of the property executed by said society; the property has been insured for the benefit of the society; an expensive church edifice has been erected by the society upon the land, and in all respects the society has dealt with it as its own. This has been done, so far as I am informed, without protest or objection upon the part of the church or any member thereof.

Proceedings have been taken in court within a short time in which the title of the society to the property is drawn in question; the church claiming that the prior deed to it is valid, and that the title is therefore in the church.

It is not the province of the executive to pass upon the merits of the questions of law involved in these proceedings, but I cannot shut my eyes to the fact that the society is and for many years has been in possession of the property under a claim of title apparently acquiesced in and under which it has made valuable contracts. There can be no question that if the title to the property is in the society this bill is unconstitutional. Inasmuch as the society is in possession under a claim of title which has not been disputed for many years, the presumptions of fact are so far in its favor that I think I ought not to give my assent to a bill which may disturb that title, and which upon the presumption of existing facts is plainly unconstitutional and can only become a constitutional measure if

those now in possession of the property are divested of their title by legal proceedings recently begun.

Upon general considerations of public policy, I do not think the bill is wise. It is not only special legislation, but is legislation which directly takes sides in a church controversy, some of the issues of which are already before the court for determination. I think the policy of the Commonwealth is best carried out when the state abstains, so far as may be, from interference with church affairs, and requires members of religious organizations to settle their affairs under the wise provision of the general laws upon our statute books.

It has been strongly claimed, and I doubt not that the members of the legislature were influenced by the belief, that the equities of the case required the passage of the bill. On this point I do not feel called upon, for the purposes of this message, to express an opinion, but it is proper to observe that the polity of the congregational body provides a tribunal to hear and settle church dissensions, to wit, a council of churches, and that this method of adjudicating differences has been declined by the petitioners for the present legislation. I cannot but believe that the members of the legislature have been influenced by the consideration of the apparent equities of the present case to disregard the general policy which should animate all legislation, to wit, that special legislation is at all times to be deprecated, and that the state should keep aloof from, and not interfere in, the affairs of religious corporations. To do so would, in my judgment, not only be unwise as a matter of public policy, but would invite frequent applications for such interference, to the extent that the legislature would find itself called upon to be the court of appeal in all church affairs where the members and officers found themselves unable to agree.

For the foregoing reasons I am unable to approve the bill.

[To the honorable senate and house of representatives, May 4, 1896.]

I transmit herewith for your consideration a communication recently received by me from the chairman of the state house construction commissioners, reporting that the work of constructing the extension of the state house between the Bulfinch front and the north side of Mt. Vernon street has so far approached completion that, if it

is desired to furnish it, an appropriation should be made for that purpose, and for the interior finish of Memorial Hall.

[To the honorable senate and house of representatives, June 2, 1896.]

I return herewith "An Act to incorporate the Massachusetts Pipe Line Company," with my objections thereto in writing.

The powers and privileges granted to the corporation are far more extensive than the title of the act would indicate. It is not a pipe line company merely; it is a gas company with privileges more far-reaching than have ever heretofore been granted to a Massachusetts corporation. The six persons named, their associates and successors, are granted a charter with a capital which may be indefinitely increased. They may engage in the business of manufacturing gas for all purposes, of all kinds, by any method and in all parts of the Commonwealth. Under this bill they may establish gas works in every city and town in the state. They may lay pipe lines for the conveyance of gas in every highway. Their right to lay such pipe lines, not only from town to town but within the same town wherever they see fit to connect one pipe line with another or with a distributing system, is absolute, and not subject to the prohibition or control of any authority whatever, excepting as to the mere details of location. They may, with the approval of the municipal authorities or the board of gas commissioners, engage in the business of selling gas to private consumers and lay pipes therefor in any town or city in the state. Although under the well-settled policy of the Commonwealth a municipality may not engage in the business of furnishing gas to consumers without purchasing plants already established within its borders, this company is under no such obligation to purchase. It is relieved from certain of the restrictions of existing laws as to the quality of the gas which it may supply. Finally, it is given the power to acquire by purchase or lease the property of all the gas companies in the state.

It is obvious that this bill is a radical departure from the well-settled policy of legislation in Massachusetts. Heretofore, not only the organization of companies for the manufacture and sale of gas, but the business carried

on by them, have been carefully regulated by general laws applicable to all persons and companies alike. The limit of capital is fixed. The location and extension of pipes, involving the right of digging up public ways, are to be obtained only by permission of the local authorities; the quality and price of the gas manufactured are under the immediate control of the Commonwealth. The purchase or leasing of a gas plant by another company is practically prohibited. In compensation for this strictness of control, the right of competition, so far as it authorizes two or more distributing systems to encumber the streets of the same municipality, has been carefully restricted, and the assurance thus held out to promoters of such enterprises that if their business be well conducted and the quality and price of their gas satisfactory they should be protected from destructive competition. Upon the faith of this policy of the Commonwealth, a policy repeatedly declared by the legislature, many millions of dollars have been invested in the business of making and distributing gas.

By this bill no one of these regulations is removed from existing companies, except that they may sell or lease their plants to the Massachusetts Pipe Line Company. The established policy of the Commonwealth as to other gas companies remains unchanged. But the bill gives to this company a charter empowering it to compete throughout the state with existing companies, handicapped as those companies necessarily would be by restrictions and regulations in force as to them, but from many of which these incorporators are exempt.

I feel justified in saying that rights and privileges so exceptional should not be granted to any body of men without the clearest assurance of benefit to the public. It is a fundamental principle of the organic law of Massachusetts that "no man, nor corporation or association of men, have any other title to obtain advantages or particular and exclusive privileges distinct from those of the community than what arises from the consideration of services rendered the public." The only ground upon which this bill can stand is that by its passage the price of gas will be made cheaper to the public. But upon examination of its provisions I find no such assurance. The only provisions which relate to the price of gas are: first, that when the company purchases an existing plant

it shall not increase the price of gas ; second, that when it engages in the business of selling gas to the consumer on its own account its prices shall be subject to the jurisdiction of the gas commissioners, as those of existing companies now are ; and third, that when it sells gas to a corporation or municipality the price of gas delivered to the holder or distributing system of such company or municipality shall not exceed thirty-five cents per thousand cubic feet.

It is obvious that the two provisions first named do not insure cheaper gas to the consumer. There is no promise of reduction of price in case of purchase of another plant ; and there is no obligation on the company, in case it sells gas to the consumer on its own account, to sell at any cheaper rate than do existing companies. Indeed, the petitioners, as I am informed, have expressly disclaimed any such assurance. When an amendment was adopted in the house of representatives limiting the price of gas to consumers at fifty cents, it was frankly stated by the friends of the bill that a charter with that provision would be of no benefit to the promoters. Even a proposition which was made in the senate, to limit the price to consumers at ninety cents, a sum not greatly less than the present average price of gas to consumers in this state, was defeated by the friends of the bill.

The only possible ground upon which it can be claimed that the bill affords any assurance of cheaper gas is the clause which limits the price to thirty-five cents per thousand feet when delivered to the holder or distributing system of a city or town or of another company. But this limitation does not necessarily reach the consumer. It is matter of common knowledge that a very considerable portion of the expense of gas to the consumer is in the distribution ; and it is asserted that the average cost of gas of standard illuminating power in the holder does not greatly exceed thirty-five cents, and that, if the restrictions as to illuminating power were removed, as is permitted to this company, a much cheaper price in the holder might be obtained. Moreover, many of the extraordinary privileges granted by this bill, such as the right to purchase or lease the property of companies already established, and the roving commission to engage in the gas business throughout the Commonwealth in competition with existing companies, have no necessary relation to the pipe line business, to which alone this limit of price applies.

I am aware that the statement is made that it is hoped and expected by the promoters that by the introduction of a kind of coal not now in general use and by some projected improvements in methods of manufacture the company will be able to furnish cheap coke and cheaper gas for illuminating purposes, and especially to reduce largely the price of gas for fuel purposes. These claims, however, are merely prospective, — they are not in the bill. It is not necessary, in order to establish the truth of such claims, that a company be granted extraordinary privileges. It is matter of common knowledge that this franchise is sought by men of wealth and enterprise, who have already under their control the largest distributing system in the Commonwealth, where every facility is afforded for the production of cheap gas both for fuel and illuminating purposes, even to the extent of a double line of distributing pipes in many of the streets of the territory which it covers. I refer to the densely populated area now covered by the Boston Gas Light Company and the Brookline Gas Company.

All the claims of these promoters can be verified and established upon the systems now within their control. It will be time enough, in my judgment, to grant the exceptional privileges of this bill when, in the field now controlled by them, they shall have been able to verify the claims upon the mere promise of which they ask for this bill.

Nor can I lose sight of the fact that this bill is a grave menace to existing companies, in which the money of the citizens of Massachusetts has been largely invested. Massachusetts owes much of her prosperity to the safeguards she has imposed upon her corporate investments. To this wise policy, under which the rights of the public and the rights of capital are both assured, she is largely indebted for her present high position. The Commonwealth stands pledged to the proposition that those who have risked their money in public-service corporations, so long as they serve the public well and cheaply, shall not be exposed to destructive competition. I am well aware that these considerations of regard for vested interests should have no weight when they are opposed to the welfare of the public.

It is far more important that the citizens of Massachusetts should have gas for illuminating and fuel purposes

at the cheapest possible price than that the investments of shareholders in gas companies should be protected. Any measure in the interest of cheap gas is of the highest possible public benefit, and other considerations must yield to the advantage thus gained to the public. Corporate interests cannot stand against the welfare of the community.

But the only way in which this bill, otherwise than through its pipe line features, to which I have referred, can justly claim to be for the benefit of the public is in the privilege of competition it affords to the corporation it creates. That this competition may be destructive of vested rights it is not difficult to foresee. This is not alone because the promoters of this bill are men of means and enterprise, nor is it pretended that they are the exclusive possessors of any new invention or patented method, which they alone can employ. The bill itself, through the exceptional privileges it grants and which are denied to its competitors, gives to this company an undue advantage. Experience has demonstrated that unrestricted competition by public-service corporations, although the temporary results may be to make cheaper prices to the public, seldom accomplishes any permanent good. The public must eventually pay the bills.

I can see no permanent advantage to the community in arming this company with a club by which it may strike down those already in the field. Temporarily it may cheapen prices; indeed, it must do so or promise to do so, that it may strike them down; but the history of such competition demonstrates that eventually it is the public that suffers.

If the wise policy of Massachusetts, long established and maintained as to its public-service corporations, is to be changed, the change should be made not for the benefit of one body of men, but for all alike. If better results can be obtained for the public by competition, then it is but simple justice that the restrictions which have been established should be removed from all citizens and all corporations alike. In my opinion, it is not justice to vested rights, nor sound business policy, nor for the interests of the public, to authorize the discriminations which this bill proposes to establish, especially without assurance by actual demonstration or sufficient guaranty that the public benefit which could alone justify them must ensue.

If the bill were limited to a pipe line charter, that is, a charter granting authority to lay pipe lines for the conveyance of gas from town to town, with the privilege of selling the product to the municipality or to existing companies or even to consumers, if no distributing system is in the field, with suitable restrictions as to price and quality, many if not all the objections which I have stated to the existing bill would be removed. Indeed, from the arguments and claims of the promoters of the enterprise, which have been put in my hands for perusal, the establishment of a pipe line system appears to have been the essence of their petition; but this bill does not stop with such a system; it has added such exceptional, unnecessary, and, in my judgment, injurious, privileges and powers, that in its present form I cannot give it my approval.

CHANGE OF NAMES.

CHANGE OF NAMES OF PERSONS.

In compliance with the requirement of the Public Statutes, Chap. 148, Sect. 14, returns of the following Changes of Names have been received in the office of Secretary of the Commonwealth, as decreed by the several Judges of the Probate Courts in their respective Counties : —

BARNSTABLE COUNTY.

Date of Decree.	Original Name.	Name Decreed.	Residence.
1895.			
Feb. 12,	Joseph Warren Francis,* . . .	Joseph Warren Barnes, . . .	Provincetown.
April 2,	Gorden Baker,* . . .	Walter Everett Stuart, . . .	Falmouth.
May 14,	Wendell Van Campen Craig, . . .	David Van Campen Craig, . . .	Provincetown.
Sept. 10,	Charlotte W. Smith, . . .	Charlotte W. Hardy, . . .	Chatham.
Oct. 1,	Mary A. Fahey,* . . .	Mary Ellsworth Wiley, . . .	Wellfleet.
Oct. 1,	Margaret Rogers Wade,* . . .	Margaret Rogers Wade Vose, . . .	Chatham.
Dec. 10,	Nellie Spencer,* . . .	Harriet Elizabeth Runnels, . . .	Eastham.

BERKSHIRE COUNTY.

March 5,	Edith Irene Beatty,* . . .	Edith Irene Ford, . . .	Williamstown.
April 2,	Helen Isabelle Duncanson,* . . .	Helen Isabelle Baillie, . . .	Adams.
May 11,	Jennie May Griswold,* . . .	Jennie May Upton, . . .	Adams.
June 20,	William Lee,* . . .	William Lee Kent, . . .	Cheshire.
Aug. 10,	Elizabeth Tibdeor,* . . .	Elizabeth Mooney, . . .	Pittsfield.
Oct. 10,	Eva Maude Loring,* . . .	Eva Myrtle Pomeroy, . . .	Washington.
Sept. 3,	Frederick McNulty,* . . .	Michael Frederick Cassidy, . . .	Lee.
Sept. 3,	Bessie Miller,* . . .	Viola Lillian Norris, . . .	Pittsfield.
Sept. 3,	John Ready,* . . .	John R. Quinn, . . .	Pittsfield.
Dec. 4,	William Maloney,* . . .	William Lavasseur, . . .	New Marlborough.
Dec. 20,	Johanna Norton,* . . .	Annie Conway, . . .	Sheffield.

BRISTOL COUNTY.

Jan. 4,	Charles Leeming,* . . .	Charles Leeming Potts, . . .	Fall River.
Feb. 1,	Florence L. Cahill,* . . .	Maud Alice Cook, . . .	Fall River.
Feb. 15,	Joseph A. { Galand,* } { Gallant,* }	Leo Alfred Togue, . . .	Fall River.
Feb. 15,	Joseph Leeming,* . . .	Joseph T. Whorlby, . . .	Fall River.
April 5,	Lucy Williams,* . . .	Lucy Matteson, . . .	Fall River.
May 3,	Anna May McKinnon,* . . .	Bertha May Stearns, . . .	Mansfield.
June 21,	Donald Angus McLeod,* . . .	Donald A. McL. Dunn, . . .	New Bedford.
Aug. 2,	Elsie E. Lang,* . . .	Elsie E. Jones, . . .	Taunton.
Aug. 2,	William Carmichael of Fall River,* . . .	Charles L. Carr, . . .	Freeport, Me.
Aug. 2,	Mary Kelly,* . . .	Isabel F. Adam, . . .	Fall River.
Oct. 4,	Clytie May Ball,* . . .	Clytie May Mills, . . .	Fall River.
Nov. 1,	George F. Bennett,* . . .	George F. Morrow, . . .	Fall River.
Nov. 1,	Irene McDonald,* . . .	Gertrude Evelyn Polsey, . . .	Attleborough.
Nov. 15,	William A. Hitt,* . . .	William Shaw Leach, . . .	Fall River.
Nov. 15,	Frances S. Rugg,* . . .	Frances S. Thayer, . . .	Fall River.

* Changed by reason of adoption.

ESSEX COUNTY.

Date of Decree.	Original Name.	Name Decreed.	Residence.
1895.			
Jan. 21,	Cecelia Morarity,*	Cecelia Robishaw,	Salem.
Feb. 4,	Ruth E. Dolan,*	Ruth Esther Stevens,	Salem.
18,	Irene M. Young,*	Irene Girard,	Lynn.
March 4,	Margaret Galvin,*	Margaret Mary Durand,	Boston.
11,	Josephine Switzer,*	Josephine Gerhaeuser,	Lawrence.
18,	Minnie Knowles,*	Bessie Mildred Jones,	Lynn.
18,	Minnie E. Reilly,*	Minnie Emily Keefe,	Lawrence.
April 16,	Frank E. Trohon,	Frank Edward Thorndike,	Lynn.
15,	Henry S. McCabe,	Henry Samuel Nickerson,	Gloucester.
15,	Teresa M. Connors,*	Teresa Margaret Choate,	Boston.
15,	Clayton Hill,*	Clayton Hill Stevens,	Boston.
May 6,	Ida M. Trebble,*	Iva Alice Greene,	Lawrence.
6,	George Gullford,*	George Louis Greene,	Lawrence.
6,	Nellie Skeritt,*	Nellie Laliberty,	Methuen.
6,	Constance O. Wakefield,*	Constance Vivian Frazier,	Boston.
20,	James F. Cook,	Benjamin Franklin Cook,	Gloucester.
June 10,	Martha J. Russell,*	Martha Jane Welmer,	Boston.
July 1,	Alida N. Tover,*	Alida Nekollin Swinson,	Gloucester.
Aug. 5,	Everett S. Littlefield,*	Clarence Irving Willis,	Lawrence.
5,	Frank W. Knight,	Frank Woodfin Hammond,	Beverly.
Sept. 10,	Ernest Ames,*	Frederick Forrest Patterson,	Lynn.
23,	Hiram McCabe,	Hiram Nickerson,	Gloucester.
Oct. 14,	Mary E. Johnson,*	Clara Louise Locke,	Peabody.
21,	Hazel F. Hubley,*	Hazel Florence Grafton,	Lynn.
Nov. 11,	Esther Wakely,*	May Low Tarr,	Boston.
Dec. 2,	James Hanson,*	Walter Henry Christian,	Gloucester.
2,	Maude E. Mace,*	Maude Esther Miller,	Salem.
10,	Clarence Hanson,*	Clarence William Carye,	Gloucester.
16,	Hilda S. Warner,*	Hilda Sophia Anderson,	Rockport.

FRANKLIN COUNTY.

April 13,	— Vajda,*	Frederick Elley Hillman,	Ashfield.
13,	— Tobin,*	Mary Sullivan,	Montague.
May 23,	Florence Lola Chase,*	Florence Lola Canedy,	Shelburne.
Sept. 3,	Bertha Davis,*	Edna Ethel Howland,	Heath.
3,	Walter Charles Doyle,*	Walter Charles Davis,	Monroe.
Oct. 1,	Bessie T. Backus,*	Bessie T. White,	Orange.
Nov. 6,	Mary M. Roberts,*	Mary M. Parsons,	Greenfield.
Dec. 3,	Joseph Oliver Watson,*	Oliver Watson,	Greenfield.

HAMPDEN COUNTY.

Feb. 15,	Robert Harry McIntire,*	Robert Harry McVeigh,	Agawam.
March 29,	Addie E. Bemis,*	Addie E. Frost,	Springfield.
April 12,	Ellen Theresa Linquist,*	Ellen Theresa Armstrong,	Springfield.
May 17,	Helen Robinson Peacock <i>alias</i> Donaldson,	Helen Robinson Donaldson,	Holyoke.
17,	Hiram Bucher Peacock <i>alias</i> Donaldson,	Hiram Bucher Donaldson,	Holyoke.
June 5,	Mary Travers,*	Mary Travers Sexton,	Springfield.
19,	Simon Kovenski,	Simon Franklin,	Springfield.
July 12,	Robert Mills Morgan,*	Robert Mills Rising,	Springfield.
Sept. 4,	Frederick William Matthews,	Frederick William Matthews Robinson,	Springfield.
4,	William Chase Fernel,	William Chase Fernald,	Springfield.
4,	Ellen Smith Fernel,	Ellen Smith Fernald,	Springfield.
4,	Ada Mary Fernel,	Ada Mary Fernald,	Springfield.
4,	Edgar Smith Fernel,	Edgar Smith Fernald,	Springfield.

* Changed by reason of adoption.

CHANGE OF NAMES.

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HAMPDEN COUNTY — Concluded.

Date of Decree.	Original Name.	Name Decreed.	Residence.
1895.			
Sept. 4,	Walter Merritt Fernel, . . .	Walter Merritt Fernald, . . .	Springfield.
4,	Nora Augusta Fernel, . . .	Nora Augusta Fernald, . . .	Springfield.
21,	Catherine Frances Craven,* . .	Catherine Frances Scully, . .	Springfield.
27,	Elsie Cosens,* . . .	Elsie Dupes, . . .	Holyoke.
28,	Earle Fuller,* . . .	Earle Wentworth Makepeace, .	Springfield.
Oct. 2,	Frank Tobin,* . . .	Frank Heredeen, . . .	Monson.
Nov. 6,	May B. Sargood,* . . .	May Sargood Wheeler, . . .	Springfield.

HAMPSHIRE COUNTY.

Jan. 1,	Walter E. Mann,* . . .	Charles Washington Holcomb, .	Pelham.
Feb. 6,	Alice Carrington,* . . .	Alice Carrington Hofman, . .	South Hadley.
March 6,	Grace Barney,* . . .	Grace Woodward Montague, . .	Westhampton.
6,	Mabel Hattie Packard,* . . .	Mabel Hattie Cosgrove, . . .	Plainfield.
May 7,	Clarence J. Snow,* . . .	Clarence J. Hibbard, . . .	Ware.
21,	George W. Jordan,* . . .	George Leon Cooley, . . .	Plainfield.
July 2,	Henrietta Goldie Wilson,* . . .	Clementina Sophia Briggs, . .	Northampton.
Aug. 13,	Henry DeWolf Coffin,* . . .	Carleton DeWolf Livermore, . .	Northampton.
13,	Rupert Aubrey Ranney,* . . .	Rupert Ranney Marsh, . . .	Amherst.
Sept. 3,	George Keating,* . . .	Delaney Rice Dilts, . . .	Northampton.
3,	Daisy Marea Newton,* . . .	Mary Louise Kingsley, . . .	Westhampton.
Dec. 3,	William Newcomb,* . . .	William Newcomb Bucknam, . .	Northampton.

MIDDLESEX COUNTY.

Jan. 1,	Christene M. Lord,* . . .	Christene Lord Brown, . . .	Chelsea.
8,	Edouard Beival,* . . .	Edouard Pouliotte, . . .	Lowell.
8,	Mabel Crowe,* . . .	Delphine Theresa Salloway, . .	Boston.
22,	Margaret Rose,* . . .	Elsie Lambert Baxter, . . .	Cambridge.
Feb. 6,	Frederica Moece, . . .	Frederica Von Toll, . . .	Cambridge.
6,	Allan McCleery Chase, . . .	Allan McCleery Parker Chase, . .	Cambridge.
6,	Annie Whitmore,* . . .	Annie Whitmore Maker, . . .	Concord.
12,	Howard Daniel Chase,* . . .	Howard Chase Winslow, . . .	Everett.
12,	Annie E. Sullivan,* . . .	Elizabeth Theresa Hughes, . . .	Cambridge.
12,	Nietta Rolfe, . . .	Nina Rolfe, . . .	Cambridge.
12,	May Etta Smith,* . . .	Blanche Everett Ford, . . .	Lowell.
19,	Elizabeth Urania Whitcomb,* .	Rose Lathrop, . . .	Natick.
24,	Raymond Howard Clapp,* . . .	Raymond Atkins Hahn, . . .	Boston.
26,	Georgie Emma Keville,* . . .	Margaret Gowing, . . .	Boston.
March 6,	Hope Leslie Severance,* . . .	Winifred Adams, . . .	Leyden.
12,	William Joseph Farquharson,* .	William Joseph Greene, . . .	Waltham.
12,	Alice Gertrude Hitch,* . . .	Lita Fernald, . . .	Boston.
19,	Emma Elizabeth A. Ford,* . . .	Frida Minnie Bock, . . .	Boston.
19,	Mary Elizabeth Ormsby,* . . .	Mary Elizabeth Bemis, . . .	Malden.
24,	Catherina Scott,* . . .	Ruth Catherina Swan, . . .	Malden.
24,	John W. Parker, . . .	John Dalling Parker, . . .	Cambridge.
April 2,	Clayton Burt Prescott,* . . .	Clayton Ford Burt, . . .	Stoneham.
2,	Florence Edson,* . . .	Gertrude Tingley, . . .	Boston.
2,	Dolly McIntosh,* . . .	Ethel Herrick Dunbar, . . .	Stoneham.
2,	Arthur O. Pratt, . . .	Arthur Peabody Pratt, . . .	Medford.
2,	William Faulkner, . . .	William Broadley, . . .	Maynard.
10,	Beth Louise Barrett, . . .	Elizabeth Louise Barrett, . . .	Concord.
10,	Elsie Gleason,* . . .	Helen Green, . . .	Barre.
10,	Bessie Anderson,* . . .	Gladys Clyde Dickson, . . .	Cambridge.
10,	Walter J. Feich,* . . .	Walter J. Carter, . . .	Lowell.
23,	Alice May Hadley,* . . .	Alice May Couillard, . . .	Boston.
23,	Mary Joy,* . . .	Myrtle Viola Fletcher, . . .	Boston.
May 7,	Thomas Symonds,* . . .	Alonzo Hazelton Rice, . . .	Lynn.
23,	Mason Harris Dolbeare, . . .	Harris Mason Dolbeare, . . .	Wakefield.
23,	Hugo Anthony Asp,* . . .	John Clarence Goodwin, . . .	Worcester.

* Changed by reason of adoption.

CHANGE OF NAMES.

MIDDLESEX COUNTY — Concluded.

Date of Decree.	Original Name.	Name Decreed.	Residence.
1895.			
May	28, Bertha Nauman,*	Ida Clara Dorothea Salzmann, . .	Cambridge.
	28, James Worcester,*	Frederick Phillip Kirchner, . .	Somerville.
	28, Joseph Fulton,*	Joseph Halgren,	Boston.
	28, Blanche Macker,*	Blanche Fuller,	Marlborough.
June	28, Grace L. B. Mahan,*	Grace Newell Emery,	Portland, Me.
	4, Catherine Ellen Dooley, . .	Catherine Ellen Harrington, . .	Cambridge.
	4, Daniel Leary,*	Daniel Wise,	Brookline.
	4, Frances Viola Lowe,*	Edith Frances Gilmore,	Chelsea.
July	11, Lillian Laurette Walker, . .	Lillian Laurette Woodbury, . .	Cambridge.
	11, Arthur H. Bowen,*	Arthur Frank Eddy,	Malden.
	25, Ruth Alma Bates,*	Ruth Alma Phaneuf,	Hudson.
	25, Lathie Sangaller,*	Lena Pauline Ahern,	Boston.
Sept.	25, Ariel Isabel Ross,*	Ariel Isabel Jukes,	Wakefield.
	2, Gertrude Lillian Atwood,* . .	Gertrude Lillian Palmer,	Stoneham.
	9, Carmine Edwards Terry,* . .	Carmine Elizabeth Harlow, . .	Somerville.
	16, Francis J. Johnson,*	Francis James Toner,	Somerville.
Oct.	16, Laura Oulnette,*	Laura Daigneault,	Lowell.
	23, Mabel Malinda Hartshorn,* . .	Mabel Malinda Durell,	Somerville.
	3, Kaspara Alvide Gundersen,* . .	Kaspara Gundersen Livesey, . .	Cambridge.
	3, Ella Wyman Hawthurst,* . .	Ella Wyman Terry,	Cambridge.
Nov.	3, George M. Thompson,*	George Morris Tompson,	Wakefield.
	3, Angie Kennedy,*	Angie Hurtubise,	Lowell.
	10, Jessie Jones,*	Jessie Keene,	Newton.
	17, Edmond Poirier,*	Edmond Plante,	Lowell.
Dec.	17, Henri Poirier,*	Henry Banville,	Lowell.
	17, Laurent Poirier,*	Laurent Cossette,	Lowell.
	17, Ella M. Taylor,*	Ella M. Biedman,	Natick.
	24, Arthur Handy,*	William Landie,	Malden.
Nov.	24, Francis Pooler,*	Franklin Crosby Snow,	Somerville.
	1, Lillian May Elliot,*	Lillian May Elliot Brown,	Medford.
	8, George Henry Lafferty,*	George Henry Benner,	Townsend.
	22, Gladys E. Mollen,*	Gladys E. Chapman,	Billerica.
Dec.	6, Frederick Brown,*	Lawrence Cyrus May,	Boston.
	6, Robert S. Mowry,*	Robert S. Harris,	Newton.
	6, Edith E. Mowry,*	Edith E. Harris,	Newton.
	12, Ethel Beazley,*	Helen Louisa Bean,	Boston.
Dec.	12, Mary Ignacio,*	Mary Oliver,	Reading.
	19, Theodor J. Fuchs,*	Theodore Jasper Wild,	Wakefield.
	19, William McGrath,*	William Whelan,	Natick.
	26, Charles Gordon Hutchins, . .	Gordon Hutchins,	Concord.
Dec.	26, Hans Andreas Kjøsterud, . .	Hans Andreas Chester,	Cambridge.
	26, Louisa O'Brien,*	Louisa Gladys Teague,	Luxington.
	3, Daniel Alvin Lynde,	Alvin Lynde,	Melrose.
	3, Frances Clara Spencer,*	Grace Josephine Horne,	Boston.
Dec.	10, Matilda Bonlay,	Matilda Archambeault,	Hudson.
	10, Lulu Walter,	Louisa Lawrence,	Medford.
	17, Joseph Havelock Collamore,* . .	Joseph Havelock Gumb,	Lowell.
	17, Dorothy Page,*	Dorothy Leach,	Boston.
Dec.	24, Chauncy Munroe,*	Chauncy Clinton Farrow,	Chelsea.
	24, Ella Kendall,*	Irene Marguerite Miller,	Boston.

NANTUCKET COUNTY.

May	16, Carlotta Marcellina Massardo Caruso.	Carlotta Marcellina Massardo Hulbert Caruso.	Rome, Italy.
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NORFOLK COUNTY.

Feb.	6, Charles Burnett DeYoung,* . .	Charles Burnett Pitta,	Braintree.
March	20, Myrtle McMillan,*	Marion Bernice Rich,	Essexfield.
	6, Enrique Gennaro,*	Henry Gennaro Webster,	Braintree.

* Changed by reason of adoption.

CHANGE OF NAMES.

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NORFOLK COUNTY — Concluded.

Date of Decree.	Original Name.	Name Decreed.	Residence.
1895.			
April 3,	Carl Otto Copenhagen, . . .	Charles Otto Winters, . . .	Brantree.
24,	Evelyn Alma Rich,* . . .	Evelyn Alma Lewis, . . .	Hyde Park.
May 15,	John Oscar Nyberg,* . . .	William Henry Kelley, . . .	Medford.
18,	Percy Treen,* . . .	Percy Leon Thayer, . . .	Boston.
June 19,	George Foster,* . . .	Charles Parkman Crowd, . . .	Milton.
Sept. 4,	Charles Allen,* . . .	Charles Allen Crane, . . .	Boston.
25,	Sarah Adrianna Shackley, . . .	Sarah Adrianna Webber, . . .	Needham.
Nov. 6,	John Anderson,* . . .	Phillip Evelyn Myers, . . .	Boston.
6,	Pauline May Cox,* . . .	Dorothy Alden Clark, . . .	Brookline.
27,	Jenette Grace Patterson,* . . .	Jenette Grace Brown, . . .	Walpole.
Dec. 18,	Frederick Dunham, . . .	Fred Walter Foster, . . .	Norwood.

PLYMOUTH COUNTY.

March 11,	Benjamin Elmer Afey,* . . .	Benjamin Elmer Thomas, . . .	Plymouth.
25,	Annabelle G. Knowles,* . . .	Gertrude LeBaron, . . .	West Bridgewater.
25,	Delia Higgins,* . . .	Lillian Howes Terry, . . .	Brockton.
April 22,	Nancy N. Allen, . . .	Nanette Allen, . . .	Brockton.
22,	Michael Murphy, . . .	Michael Edward Murphy, . . .	Brockton.
May 13,	Benjamin F. Pennington, Jr., . . .	Frank Bruce Pennington, . . .	Brockton.
13,	— Kebrick,* . . .	Lillian Adella Robbins, . . .	Plymouth.
13,	Warren F. Spooner,* . . .	Warren F. Grew, . . .	Brockton.
July 8,	Ethel M. Sullivan,* . . .	Mary Elizabeth Borden, . . .	Brockton.
Sept. 9,	Addie K. Sweet,* . . .	Addie Ellen Briggs, . . .	Marion.
23,	George H. Green,* . . .	Harold Whitaker, . . .	Brockton.
Oct. 14,	Orman G. Johnson,* . . .	Orman G. Elms, . . .	Wareham.
14,	Clifford Bulley,* . . .	Clifford A. Pratt, . . .	Middleborough.
Dec. 23,	Lucy V. Parmenter,* . . .	Gladys V. Goldthwait, . . .	Brockton.

SUFFOLK COUNTY.

Jan. 3,	Jacob Baruck Askowitz, . . .	Jacob Baruck Askowith, . . .	Boston.
3,	Samuel Askowitz, . . .	Samuel Askowith, . . .	Boston.
3,	William Brooks,* . . .	Winthrop Burleigh Hammond, . . .	Boston.
10,	Ethel Moore,* . . .	Ethel E. Mitchell, . . .	Boston.
10,	Mary McNulty,* . . .	Ruth Jessie Dukett, . . .	Boston.
10,	Ellen Salmon, . . .	Ellen Gibbins, . . .	Boston.
17,	Fanny Furdy,* . . .	Elia Marion Fuller, . . .	Boston.
17,	Alfred Jordan,* . . .	George Alfred Hall, . . .	Boston.
17,	Bertrand Dalton Tukey, . . .	Bertrand Dalton Burnham, . . .	Boston.
24,	Susan S. Fay, . . .	Susan Fellows Thompson, . . .	Boston.
24,	Beatrice A. Mainwaring,* . . .	Florence Lillie Hodge, . . .	Boston.
24,	John Dexter,* . . .	John W. Smith, . . .	Boston.
24,	Gertrude Freeman,* . . .	Zylpha Odysell Johnson, . . .	Boston.
31,	Francis Edward Hill,* . . .	Francis Edward Burnett, . . .	Boston.
31,	Eliza Harding,* . . .	Alice Marjorie Grant, . . .	Unknown.
31,	James Lewis Mills, . . .	James Lewis Miller, . . .	Boston.
31,	William Levy, . . .	William Leroy, . . .	Boston.
Feb. 7,	Frederick Dwyer,* . . .	Joseph Frederick Micharg, . . .	Boston.
14,	Wm. Thomas Smith,* . . .	George Franklin Middleton, . . .	Boston.
14,	Samuel Kasanowitz, . . .	Samuel Kasanowitz Casson, . . .	Boston.
14,	Abraham Kasanowitz, . . .	Abraham Kasanowitz Casson, . . .	Boston.
23,	John Porter Coombs, . . .	John Stuckney Coombs, . . .	Boston.
23,	Berthold Carl Kieckhefer, . . .	Berthold Carl Bush, . . .	Boston.
23,	Louis Francis Sprengel,* . . .	Louis Francis Morse, . . .	Chelsea.
23,	Ellen Friend,* . . .	Ellen Friend Balch, . . .	Boston.
March 7,	William O'Dowd, . . .	William G. Prior, . . .	Boston.
7,	Helen I. Partridge,* . . .	Helen Idella Whipple, . . .	Boston.
14,	Ruth Gallup,* . . .	Sarah Barbara Lucas, . . .	Boston.
14,	Margaret Mullen,* . . .	Margaret McMillan, . . .	Lynn.
21,	Catherine Fairclough,* . . .	Gladys Howard, . . .	Boston.

* Changed by reason of adoption.

SUFFOLK COUNTY — Continued.

Date of Decree.	Original Name.	Name Decreed.	Residence.
1895.			
March 21,	May Brown,*	Lulu Maud Fessenden,	Boston.
28,	Thomas Atkins,*	Edward Alfred Fogg,	Boston.
28,	Margaret Mary Ryan,*	Margaret Mary Ryan Scanlan,	Boston.
28,	Emma T. Gregory,*	Effie Dyer,	Chelsea.
28,	Richard A. LeBoutillier,*	Richard A. LeBoutillier Kelley,	New York.
April 4,	Israel Ratahesky,	Israel Alfred Ratahesky,	Boston.
4,	Carl Alfred Carlsen,	Charles Alfred Carlsen Hansen,	Boston.
4,	Alga Johanne Carlsen	Alga Johanne Carlsen Hansen,	Boston.
4,	Ane Sophie Marie Nielsigne Christine Carlsen.	Nielsigne Christine Carlsen Hansen.	Boston.
4,	Henry Sachs Kaliske,	Henry Sachs,	Boston.
4,	Pansy Hains,*	Mary Johann Felleter,	Boston.
4,	Gertrude Marion Pierce,*	Gertrude Marion Pierce Griffin,	Boston.
11,	Adolph Rice,*	William Smith,	Boston.
11,	Mina Aurena Clapp,*	Janet Urquhart Ewing,	Boston.
18,	Eva Florence Pratt,*	Eva Florence Wyman,	Boston.
18,	Edward Brooks,	George Edward Sleeper,	Boston.
May 2,	Hyman Rostovsky,	Herman Moses Ross,	Boston.
2,	Elizabeth Deegan,*	Mary A. Marks,	Chelsea.
9,	Belle McGrath,*	Helen Katherine Keleher,	Boston.
16,	Henry Paul Grudzenakle,	Henry Paul,	Boston.
16,	Abraham Stern,*	Abraham Stalren,	Boston.
16,	Minnie Alice Richardson,*	Alice Townsend Sparrow,	Boston.
16,	Gertrude Pennie,*	Gertrude Pennie Moran,	Boston.
23,	James Wright,	James Dean Peabody,	Boston.
23,	Alice Briere,*	Alice Harriet Cummings,	Boston.
June 6,	Mary Young,*	Mary Hill,	Boston.
6,	Fred W. Pollard,*	Frederick William Converse,	Boston.
6,	Charles Cohen,*	Louis Brown,	Boston.
13,	Wm. Henry Brooks,	Wm. Henry Sleeper,	Boston.
13,	Edward Howard Brooks,	Edward Howard Sleeper,	Boston.
13,	Kenneth Westwood Endres,	Kenneth Westwood Windram Endres.	Boston.
13,	Laura Amy Mitchell,*	Laura Amy Blasonet,	Boston.
20,	Leon Eugene Strickler,	Leon Eugene Morton,	Boston.
20,	Frank Georgadis,*	Edwin Nathaniel Knowlton,	Boston.
27,	Ethel K. Simes,	Ethel K. S. Nowell,	Boston.
July 5,	Frances Austin,*	Edna Elizabeth Bonta,	Unknown.
5,	Arthur Blasett, Jr.,*	Arthur Frederick,	Boston.
5,	Emma Lowell McDougall,*	Muriel Emma Lowell,	Boston.
11,	Ruth Asenath Rudolph,	Ruth Asenath Woodman,	Boston.
11,	Mabel Winslip,*	Ether Francis Barker,	Boston.
25,	Mamie Gallagher,*	Agnes Mathilde Jacobson,	Hingham.
25,	Alvin Trevett, alias Speck,*	Alvin Trevett Johnson,	Boston.
Aug. 15,	Mary Clark,*	Mary Frances McKay,	Boston.
15,	Isaac Harry Pinkofski,	Isaac Harry Pinkham,	Chelsea.
15,	Rose Alymer,*	Ruth Burrill Stowell,	Boston.
15,	Mary Agnes Davis,*	Marion Agnes Davis,	Boston.
15,	Elizabeth Murray,*	Elizabeth Overton,	Boston.
Sept. 6,	Frederick Charles Roberts,	Frederick Charles Hammond,	Boston.
12,	George Whitaker,*	George Luther Holt,	Boston.
19,	Frank Shea,*	Francis E. Fisher,	Boston.
26,	Annie Gruner,*	Erna Beatrice Haskell,	Boston.
26,	Mary Caro,*	Mary Bargent,	Boston.
26,	George Joseph Albert D'Aroy,	George Joseph Albert Hill,	Boston.
Oct. 26,	Mary Ballard,*	Mary Emeline Gardner,	Boston.
3,	Clarence Stetson King,	Clarence Stetson,	Boston.
3,	Mary Thompson,*	Maud Frances Watson,	Boston.
3,	Frank Mundshenk,	Frank Miller,	Boston.
3,	Catherine Flanagan,	Catherine F. Johnson,	Boston.
10,	Katherine Amelia Malloy,	Katherine Amelia Malloy,	Boston.
17,	Frances C. Betts,	Frances Coster Robinson,	Boston.
17,	Jessie Blanche Gibbon,	Gertrude Blanche Hersey,	Boston.
17,	Abbie A. Francis,	Abbie A. Hatch,	Boston.
17,	Altus Deroy Flower,	Richard Charles Flower,	Boston.
24,	Nathan Newman Linsky,	Nathan Newman Lindsey,	Boston.
24,	Herman Woodruff Bundy,	Herman Woodruff Aborn,	Boston.
24,	— Stevens,*	Paul Harrington,	Boston.
24,	Franklin Alexander Granville,*	Frederick Wm. Sheehan,	Boston.
24,	Irma S. Morrill,*	Irma Morrill Wadsworth,	Boston.

* Changed by reason of adoption.

CHANGE OF NAMES.

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SUFFOLK COUNTY—Concluded.

Date of Decree.	Original Name.	Name Decreed.	Residence.
1895.			
Nov.	7, Alice Harding,*	Esther Marie Thomas,	Boston.
	7, John H. Haselton,*	John Herbert Lewis,	Boston.
	7, Burt L. Davenport,*	Burt Davenport Dares,	Boston.
	14, John Polep,	John Paul,	Boston.
	14, Aleta J. Jernegan Vincent,*	Aleta White Parker,	Edgartown.
	21, Charles W. Williams,*	Charles Walter Morrell,	Boston.
	29, Mary Ryan,*	Mary Kelly,	Boston.
	29, Clara J. Tobin,*	Carrie J. Beach,	Boston.
	29, Annie Garey,*	Annie Rowena Streeter,	Boston.
	29, Arthur Charles Hale,	Arthur Hale Crawford,	Boston.
	29, Mary Pantaleo,*	Mary Parisi,	Boston.
	29, Margaret Shaw,*	Margaret Caverly,	Boston.
	29, Robert Wilson Kemp,*	Henry Erakine Stillings,	Boston.
Dec.	29, Katharine Erakine Kemp,*	Katharine Erakine Stillings,	Boston.
	8, Natalie Willard,*	Natalie Louise Prescott,	Boston.
	8, Helen Langley Malloy,	Helen Langley Mallory,	Boston.
	10, Amy Morgan,	Amy F. Nesbitt,	Boston.
	19, Edward J. O'Dowd,	Edward J. Dowd,	Boston.
	19, Mary Williams,*	Margaret Henebury,	Boston.
	17, Harry Smith,*	Harry Roscoe Hall,	Boston.
	26, Shiro Kuroda,*	Shiro Wilcox Kuroda,	Kawagista, Japan.

WORCESTER COUNTY.

Jan.	4, Elizabeth Augusta Lettime,*	Sarah Elizabeth Waite,	Worcester.
	8, Elizabeth Fennelly,*	Elizabeth Theodora Finn,	Worcester.
	29, Ethel Blanche Ellis,*	Joyce Lindley Tyler,	Worcester.
Feb.	29, Emma McCarthy,	Emma Smith,	Sturbridge.
	29, George Shattuck,*	George William Read,	Clinton.
March	5, Florence Betters,*	Florence Lyons,	Worcester.
	5, Mary E. Beazley,*	Blanche Inez Parmenter,	Athol.
April	5, Nellie Josephine Stimpson,	Helen Josephine Stimpson,	Worcester.
	12, William Murphy,*	Chester John Darling,	Worcester.
	2, Francis William Taylor,*	Evan Taylor Brown,	Westborough.
	2, Alberta Liota Connor,*	Alberta Liota Balcome,	Worcester.
	5, Milly Levi,*	Milly Rabinowich,	Worcester.
	12, James Lanier,*	James Keenan,	Worcester.
	12, Freddie Lanier,*	Freddie Keenan,	Worcester.
	22, Willard Everett Fianigan, otherwise known as Willard Everett Martin and Willard E. Marshall,*	Willard Everett Martin,	Warren.
	22, Thomas Herbert Ferris,*	Thomas Herbert Sullivan,	Worcester.
	23, Otto Gulbrandson,	Otto Malmer,	Fitchburg.
May	14, Adeline May Paul,*	Adeline May Mirick,	Worcester.
	21, ———,*	Helen M. La Débauche,	Worcester.
	28, Lula Isabel Burke,*	Lula Isabel Page,	Fitchburg.
June	28, Lizzie Churchill Hayward,	Elizabeth Churchill Hayward,	Uxbridge.
	14, Gertrude Irene Ammond,*	Gertrude Irene Saunders,	Westerly, R. I.
July	18, Emery Sawyer Todd,*	William Emery Rogers,	Worcester.
	2, Lena Elizabeth Green,*	Lina Elizabeth Soucy,	Worcester.
	9, Caroline Lena Carruth,*	Caroline Lena Patterson,	Clinton.
	9, Ralph Myron Hartwell,*	Everett Andrew Ayer,	Fitchburg.
	12, Mary W. Bigelow,*	Mary Witter Flint,	Worcester.
	12, Phillip H. Bigelow,*	Phillip Witter Flint,	Worcester.
	16, Jennie Etta Towaley,*	Jennie Etta Hale,	Royalston.
	30, Winnie Sawyer Stowe,*	Winnie May Milens,	Northbridge.
	30, Mary Dunn,*	Hazel Ardena Davis,	Milton, N. H.
	30, Bessie Theresa Nims,	Elizabeth Theresa Nims,	Leominster.
Sept.	17, Harry L. Houghton,	Henry L. Houghton,	Worcester.
	27, Della May Cameron,*	Ella May Congdon,	North Brookfield.
Oct.	1, Fred Warren White,	Frederick Warren White,	Worcester.
	18, Elida Flink,*	Beulah C. Kemp,	Worcester.
Nov.	26, Martha Margaret Howe,*	Martha Margaret Moore,	Bolton.
	29, Minnie Alice McLean,*	Winnie Alice Robertson,	Worcester.
	12, Mabel M. Nickerson,	Mabel M. Sheldon,	Worcester.
	12, Hedley V. Nickerson,	Hedley V. Sheldon,	Worcester.
	26, Addie Nickerson,*	Addie Sheldon,	Worcester.
	26, Gertrude Power,*	Gertrude Harney,	Worcester.

* Changed by reason of adoption.

THE
CIVIL GOVERNMENT

OF THE
Commonwealth of Massachusetts,

AND OFFICERS IMMEDIATELY CONNECTED THEREWITH FOR
THE POLITICAL YEAR

1896.

EXECUTIVE DEPARTMENT.

HIS EXCELLENCY
FREDERIC T. GREENHALGE,*
GOVERNOR.

HENRY A. THOMAS *Private Secretary*
EDWARD F. HAMLIN *Executive Clerk.*

HIS HONOR
ROGER WOLCOTT,
LIEUTENANT GOVERNOR.

COUNCIL — (BY DISTRICTS).

I.—NATHANIEL F. RYDER Middleborough.
II.—BENJAMIN S. LOVELL Weymouth.
III.—FRANCIS H. RAYMOND Somerville.
IV.—JOHN H. SULLIVAN Boston.
V.—B. FRANK SOUTHWICK Peabody.
VI.—JOHN M. HARLOW Woburn.
VII.—CHARLES E. STEVENS Ware.
VIII.—CHARLES A. TOWNE Orange.

WILLIAM M. OLIN,
SECRETARY OF THE COMMONWEALTH.

ISAAC H. EDGETT, *1st Deputy.* HERBERT H. BOYNTON, *2d Deputy.*

EDWARD P. SHAW,
TREASURER AND RECEIVER GENERAL.

JOHN Q. ADAMS, *1st Clerk.* GEORGE S. HALL, *2d Clerk.*
WENDELL P. MARDEN, *Cashier.*

JOHN W. KIMBALL,
AUDITOR OF ACCOUNTS.

WILLIAM D. HAWLEY, *1st Clerk.* JAMES POPE, *2d Clerk.*

HOSEA M. KNOWLTON,
ATTORNEY-GENERAL.

GEORGE C. TRAVIS *First Assistant Attorney-General.*
JAMES MOTT HALLOWELL *Second Assistant Attorney-General.*

* His Excellency Frederic T. Greenhalge deceased March 5.

LEGISLATIVE DEPARTMENT.

GENERAL COURT.

ARRANGED IN ACCORDANCE WITH THE DISTRICT REVISION OF 1886.

SENATE.

President—GEORGE P. LAWRENCE.

District.	Name of Senator.	Residence.
First Suffolk,	Joseph B. Maccabe,	Boston.
Second "	Joseph J. Corbett,	Boston.
Third "	Martin M. Lomasney,	Boston.
Fourth "	John Quinn, Jr,	Boston.
Fifth "	George P. Sanger,	Boston.
Sixth "	William H. McMorrow,	Boston.
Seventh "	Isaac P. Hutchinson,	Boston.
Eighth "	Richard Sullivan,	Boston.
Ninth "	Charles F. Sprague,	Boston.
First Essex,	Lewis H. Bartlett,	Lynn.
Second "	George A. Galloupe,	Beverly.
Third "	J. Loring Woodfall,	Rockport.
Fourth "	John J. Prevaux,	Amesbury.
Fifth "	Horace H. Atherton,	Saugus.
Sixth "	James H. Derbyshire,	Lawrence.
First Middlesex,	George W. Perkins,	Somerville.
Second "	James P. Niles,	Watertown.
Third "	Frederick W. Dallinger,	Cambridge.

District.	Name of Senator.	Residence.
Fourth Middlesex, . . .	George A. Reed, . . .	Frammingham.
Fifth " . . .	George J. Burns, . . .	Ayer.
Sixth " . . .	Arthur H. Wellman, . . .	Malden.
Seventh " . . .	Fisher H. Pearson, . . .	Lowell.
First Worcester, . . .	Alfred S. Roe, . . .	Worcester.
Second " . . .	William H. Cook, . . .	Milford.
Third " . . .	Erastus Jones, . . .	Spencer.
Fourth " . . .	Joel D. Miller, . . .	Leominster.
Worcester and Hampshire, .	Percival Blodgett, . . .	Templeton.
First Hampden, . . .	Edward S. Bradford, . . .	Springfield.
Second " . . .	William A. Chase, . . .	Holyoke.
Franklin, . . .	Dana Malone, . . .	Greenfield.
Berkshire, . . .	George P. Lawrence, . . .	North Adams.
Berkshire and Hampshire, .	Richard W. Irwin, . . .	Northampton.
First Norfolk, . . .	Francis W. Darling, . . .	Hyde Park.
Second " . . .	Clarke P. Harding, . . .	Medway
First Plymouth, . . .	Albert F. Barker, . . .	Hanson.
Second " . . .	Noble W. Everett, . . .	Wareham.
First Bristol, . . .	Louis C. Southard, . . .	Easton.
Second " . . .	Joseph O. Neill, . . .	Fall River
Third " . . .	Rufus A. Soule, . . .	New Bedford.
Cape, . . .	William A. Morse, . . .	Tisbury.

HENRY D. COOLIDGE, *Clerk.*
 EDMUND DOWSE, *Chaplain.*
 JOHN G. B. ADAMS, *Sergeant-at-Arms.*

HOUSE OF REPRESENTATIVES.

Speaker—GEORGE v. L. MEYER.

COUNTY OF SUFFOLK.

District.	Town or Ward.	Name of Representative.	Residence.
1st,	Boston, Ward 1, . }	John L. Bates, . James A. Cochran, .	Boston. Boston.
2d,	Boston, Ward 2, . }	Manassah E. Bradley, . Michael J. Leary, .	Boston. Boston.
3d,	Boston, Ward 3, . }	John M. O'Hara, . David B. Shaw, .	Boston. Boston.
4th,	Boston, Ward 4, . }	Timothy J. Donovan, . Jeremiah J. McCarthy, .	Boston. Boston.
5th,	Boston, Ward 5, . }	Robert F. Denvir, . James H. Leary, .	Boston. Boston.
6th,	Boston, Ward 6, . }	Jeremiah E. Mahoney, . Daniel D. Rourke, .	Boston. Boston.
7th,	Boston, Ward 7, . }	Patrick J. Carroll, . George F. Coleman, .	Boston. Boston.
8th,	Boston, Ward 8, . }	Thomas F. Keenan, . David T. King, .	Boston. Boston.
9th,	Boston, Ward 9, . }	George v L. Meyer, . William L. Reed, .	Boston. Boston.
10th,	Boston, Ward 10, . }	Edward S. Crockett, . Clarence P. Weston, .	Boston. Boston.
11th,	Boston, Ward 11, . }	Joshua B. Holden, . Francis C. Lowell, .	Boston. Boston.
12th,	Boston, Ward 12, . }	Daniel M. Driscoll, . William P. Driscoll, .	Boston. Boston.
13th,	Boston, Ward 13, . }	James A. Gallivan, . James S. McKenna, .	Boston. Boston.
14th,	Boston, Ward 14, . }	Daniel J. Barry, . Joseph J. Norton, .	Boston. Boston.

COUNTY OF SUFFOLK — CONCLUDED.

District.	Town or Ward.	Name of Representative.	Residence.
15th,	Boston, Ward 15, .	{ James F. Creed, . Michael J. Reidy, .	Boston. Boston.
16th,	Boston, Ward 16, .	{ James Keenan, . John A. Keliher, .	Boston. Boston.
17th,	Boston, Ward 17, .	{ James M. Douglass, . Franz H. Krebs, Jr., .	Boston. Boston.
18th,	Boston, Ward 18, .	{ John W. Johnson, . Albert C. Smith, .	Boston. Boston.
19th,	Boston, Ward 19, .	{ Daniel J. Curley, . Frank J. O'Toole, .	Boston. Boston.
20th,	Boston, Ward 20, .	{ Daniel C. Casey, . Charles I. Quirk, .	Boston. Boston.
21st,	Boston, Ward 21, .	{ Frederick Atherton, . William W. Davis, .	Boston. Boston.
22d,	Boston, Ward 22, .	William H. Morgan,* .	Boston.
23d,	Boston, Ward 23, .	{ William E. Ford, . Arthur A. Maxwell, .	Boston. Boston.
24th,	Boston, Ward 24, .	{ George B. Bird, . John E. Tuttle, .	Boston. Boston.
25th,	Boston Ward 25, .	Samuel H. Mitchell, .	Boston.
26th,	Chelsea, Wards 1, 2, 3, .	{ Franklin O. Barnes, . Edward E. Willard, .	Chelsea. Chelsea.
27th,	{ Chelsea, Wards 4, 5, . Revere, . . . Winthrop, . . . }	{ Ernest W. Roberts, . Charles A. Grant,† .	Chelsea. Winthrop.

COUNTY OF ESSEX.

1st,	{ Salisbury, . . . Amesbury, . . . Merrimac, . . . West Newbury, . }	{ Horace S. Bean, . . Nelson P. Cummings, . }	Amesbury. Merrimac.
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* Declared elected by acceptance of report of committee on elections February 25; qualified February 28.

† Elected February 11; qualified February 17; in place of George T. Sleeper, elected clerk of the house of representatives.

COUNTY OF ESSEX — CONTINUED.

District.	Town or Ward.	Name of Representative.	Residence.
2d,	Haverhill, Wards 1, 2, 4, 6, }	Samuel W. George, Thomas E. St. John,	Haverhill. Haverhill.
3d,	{ Haverhill, Wards 3, 5. Methuen, . . . Bradford, . . . }	Levi A. Drury, . . Jackson Webster, . .	Bradford. Haverhill.
4th,	Lawrence, Wards 1, 2, 3, }	Joseph J. Flynn, . . Cornelius F. Sullivan,	Lawrence. Lawrence.
5th,	Lawrence, Wards 4, 5, 6, }	Harry R. Dow, . . Charles F. Sargent,	Lawrence. Lawrence.
6th,	{ Andover. . . . North Andover, . . }	William Halliday, Jr.,	North Andover.
7th,	{ Groveland, . . . Georgetown, . . . Boxford, . . . Topsfield, . . . }	Roger S. Howe, . .	Georgetown.
8th,	{ Newburyport, Wards 1-6, } Newbury, . . . }	Charles O. Bailey, . Caleb B. Huse, . .	Newbury. Newburyport.
9th,	{ Rowley, Ipswich, Hamilton, Wenham, }	Walter E. Lord, . .	Ipswich.
10th,	{ Gloucester, Wards 1, 3, 4, 5, 6, 7, 8, . . . Essex, Manchester, . . . }	Charles D. Brown, . Arthur D. Story, . . George J. Tarr, . .	Gloucester. Essex. Gloucester.
11th,	{ Gloucester, Ward 2, . Rockport, }	George M. McClain,	Rockport.
12th,	Beverly,	Joseph W. Stocker,	Beverly.
13th,	Salem, Wards 1, 2, . .	John D. H. Gauss, .	Salem.
14th,	Salem, Wards 3, 5, . .	Tristram T. Savory,	Salem.
15th,	Salem, Wards 4, 6, . .	George G. Russell,	Salem.
16th,	Marblehead,	P. Howard Shirley,	Marblehead.
17th,	{ Swampscott, . . . Lynn, Wards 2, 3, . }	Aaron R. Bunting, E. Knowlton Fogg,	Swampscott. Lynn.

COUNTY OF ESSEX — CONCLUDED.

District.	Town or Ward.	Name of Representative.	Residence.
18th,	{ Lynn, Ward 4, . . . } { Nahant, . . . }	Henry C. Attwill, . . . Joseph G. Brown, . . .	Lynn. Lynn.
19th,	{ Lynn, Wards 1, 5, . . } { Lynnfield, . . . }	Daniel W. Allen, . . . Benjamin F. Estes, . . .	Lynn. Lynn.
20th,	{ Lynn, Wards 6, 7, . . } { Saugus, . . . }	Howard K. Sanderson, . . William Shepherd, . . .	Lynn. Lynn.
21st,	Peabody,	Nicolas M. Quint, . . .	Peabody.
22d,	{ Danvers, } { Middleton, . . . }	Joseph W. Woodman, . .	Danvers.

COUNTY OF MIDDLESEX.

1st,	Cambridge, Wards 1, 5, {	David T. Dickinson, . . James J. Myers, . . .	Cambridge. Cambridge.
2d,	Cambridge, Ward 2, {	Jeremiah F. Donovan, . Wellington Fillmore, .	Cambridge. Cambridge.
3d,	Cambridge, Ward 3, .	John H. Ponce, . . .	Cambridge.
4th,	Cambridge, Ward 4, {	James W. Coleman, . . George S. Evans, . . .	Cambridge. Cambridge.
5th,	Somerville, Ward 1, .	Amasa E. Southworth, .	Somerville.
6th,	Somerville, Ward 2, .	Frank W. Kaan, . . .	Somerville.
7th,	Somerville, Wards 3, 4, .	Elmer A. Stevens, . . .	Somerville.
8th,	Medford, Wards 1-6, .	Samuel N. Mayo, . . .	Medford.
9th,	Malden, Wards 1-7, {	Harvey L. Boutwell, . Ezra A. Stevens, . . .	Malden. Malden.
10th,	Everett, Wards 1-6, .	George A. Brown, . . .	Everett.
11th,	Melrose,	George R. Jones, . . .	Melrose.
12th,	Stoneham,	William H. Marden, . .	Stoneham.
13th,	Wakefield,	Silas W. Flint, . . .	Wakefield.

COUNTY OF MIDDLESEX — CONTINUED.

District.	Town or Ward.	Name of Representative.	Residence.
14th,	{ Woburn, Wards 1-7, Reading, . . . }	Solon Bancroft, . . William Beggs, . .	Reading. Woburn.
15th,	{ Arlington, . . . Winchester, . . . }	Forrest C. Manchester, .	Winchester.
16th,	{ Watertown, . . . Belmont, . . . }	Frank Chandler, . .	Belmont.
17th,	Newton, Wards 1-7, }	Albert L. Harwood, . J. Edward Hollis, .	Newton. Newton.
18th,	{ Waltham, Wards 1-7, Weston, . . . }	Charles P. Bond, . . Arthur L. Coburn, .	Waltham. Weston.
19th,	{ Lexington, . . . Lincoln, . . . Concord, . . . Bedford, . . . Burlington, . . . }	William R. Hayden, .	Bedford.
20th,	{ Chelmsford, . . . Billerica, . . . Tewksbury, . . . Wilmington, . . . North Reading, . . }	Charles E. Hosmer, .	Billerica.
21st,	Lowell, Ward 1, . .	Fred H. Rourke, . .	Lowell.
22d,	Lowell, Ward 2, . .	George E. Putnam, .	Lowell.
23d,	Lowell, Ward 3, . .	John J. O'Connor, .	Lowell.
24th,	{ Lowell, Wards 4, 5, . Dracut, . . . Tyngsborough, . . }	William H. I. Hayes, . George A. Roper, . . E. A. Stevens, . .	Lowell. Lowell. Dracut.
25th,	Lowell, Ward 6, . .	Thomas F. Hoban, .	Lowell.
26th,	Natick,	Edward H. Wilson, .	Natick.
27th,	{ Hopkinton, . . . Ashland, . . . }	John A. Woodbury, .	Hopkinton.
28th,	{ Holliston, . . . Sherborn, . . . Framingham, . . . Wayland, . . . }	Walter Adams, . . Charles H. Dowse, .	Framingham. Sherborn.

HOUSE OF REPRESENTATIVES.

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COUNTY OF MIDDLESEX — CONCLUDED.

District.	Town or Ward.	Name of Representative.	Residence.
29th,	{ Marlborough, Wards 1-7, Hudson, . . . Sudbury, . . . }	Charles E. Bennett, . Atherton W. Rogers, .	Hudson. Sudbury.
30th,	{ Maynard, . . . Stow Boxborough, . . . Littleton, . . . Acton, . . . Carlisle, . . . }	Frank A. Patch. . .	Boxborough.
31st,	{ Westford, . . . Groton, . . . Pepperell, . . . Dunstable, . . . }	Avander N. Blood, .	Pepperell.
32d,	{ Ayer, . . . Shirley, . . . Townsend, . . . Ashby, . . . }	George L. Whitcomb, .	Townsend.

COUNTY OF WORCESTER.

1st,	{ Athol, . . . Royalston, . . . Phillipston, . . . }	Harding R. Barber, .	Athol.
2d,	{ Gardner, . . . Winchendon, . . . Templeton, . . . Ashburnham, . . . }	George N. Dyer, . Henry C. Newell, .	Gardner. Ashburnham.
3d,	{ Barre, . . . Dana, . . . Petersham, . . . Hardwick, . . . Rutland, . . . }	George H. Kelton, .	Petersham.
4th,	{ Westminster, . . . Hubbardston, . . . Princeton, . . . Holden, . . . Paxton, . . . }	Waldo E. Austin, .	Holden.
5th,	{ Brookfield, . . . North Brookfield, . . . West Brookfield, . . . New Braintree, . . . Oakham, . . . Sturbridge, . . . Warren, . . . }	Wilson H. Fairbank, . Clarence H. Parker, .	Warren. Oakham.

COUNTY OF WORCESTER — CONTINUED.

District.	Town or Ward.	Name of Representative.	Residence.
6th,	{ Spencer, . . . } { Leicester, . . . }	Warren J. Livermore, .	Spencer.
7th,	{ Charlton, . . . } { Dudley, . . . } { Southbridge, . . . }	Charles D. Monroe, .	Southbridge.
8th,	{ Webster, . . . } { Oxford, . . . } { Auburn, . . . }	Cyrus Spaulding, .	Webster.
9th,	{ Douglas, . . . } { Millbury, . . . } { Sutton, . . . }	George F. Chase, .	Millbury.
10th,	{ Uxbridge, . . . } { Northbridge, . . . } { Upton, . . . }	John Rogers Thurston, .	Northbridge.
11th,	{ Blackstone, . . . } { Mendon, . . . } { Milford, . . . } { Hopedale, . . . }	Walter S. V. Cooke, . Cornelius R. Day, .	Milford. Blackstone.
12th,	{ Westborough, . . . } { Northborough, . . . } { Southborough, . . . } { Berlin, . . . } { Shrewsbury, . . . } { Grafton, . . . }	John E. McClellan, . J. Henry Robinson, .	Grafton. Southborough.
13th,	{ Boylston, . . . } { Bolton, . . . } { West Boylston, . . . } { Clinton, . . . } { Harvard, . . . } { Lancaster, . . . } { Sterling, . . . }	Walter F. Howard, . Edward A. Cowee, .	Clinton. West Boylston.
14th,	{ Leominster, . . . } { Lunenburg, . . . }	Henry R. Smith, .	Leominster.
15th,	Fitchburg, Wards 1-6,	Henry Thrasher, . George W. Weymouth, .	Fitchburg. Fitchburg.
16th,	Worcester, Ward 1, . .	George M. Rice, .	Worcester.
17th,	Worcester, Ward 2, . .	William P. Searls, .	Worcester.

HOUSE OF REPRESENTATIVES.

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COUNTY OF WORCESTER — CONCLUDED.

District.	Town or Ward.	Name of Representative.	Residence.
18th,	Worcester, Ward 3, . .	Eugene M. Moriarty, .	Worcester.
19th,	Worcester, Ward 4, . .	James H. Mellen, . .	Worcester.
20th,	Worcester, Ward 5, . .	James F. Melaven, . .	Worcester.
21st,	Worcester, Ward 6, . .	Ellery B. Crane, . .	Worcester.
22d,	Worcester, Ward 7, . .	Willie C. Young, . .	Worcester.
23d,	Worcester, Ward 8, . .	George H. Mellen, . .	Worcester.

COUNTY OF HAMPSHIRE.

1st,	{ Northampton, Wards 1-7, } Easthampton, . . . Southampton, . . .	Albert E. Addis, . . Charles W. Smith, . .	Northampton. Easthampton.
2d,	{ Chesterfield, . . . Cummington, . . . Goshen, . . . Huntington, . . . Middlefield, . . . Plainfield, . . . Westhampton, . . . Worthington, . . . }	Arlin V. Stevens, . .	Cummington.
3d,	{ Hatfield, . . . Hadley, . . . South Hadley, . . . Williamsburg, . . . }	Charles S. Shattuck, .	Hatfield.
4th,	{ Amherst, . . . Belchertown, . . . Granby, . . . }	Myron S. Barton, . .	Belchertown.
5th,	{ Enfield, . . . Greenwich, . . . Pelham, . . . Prescott, . . . Ware, . . . }	George D. Storrs, . .	Ware.

HOUSE OF REPRESENTATIVES.

COUNTY OF HAMPDEN.

District.	Town or Ward.	Name of Representative.	Residence.
1st,	{ Chester, . . . Blandford, . . . Tolland, . . . Granville, . . . Southwick, . . . Agawam, . . . }	Calvin S. Miller, . .	Southwick.
2d,	{ Montgomery, . . . Russell, . . . Westfield, . . . West Springfield, . . }	S. Augustus Allen, . Henry M. Van Deusen, .	Westfield. Westfield.
3d,	Holyoke, Wards 5, 6, 7, .	Patrick J. Kennedy, .	Holyoke.
4th,	Holyoke, Wards 1, 2, 3, 4, .	John F. Sheehan, . .	Holyoke.
5th,	Chicopee, Wards 1-7, .	Henry J. Boyd, . . .	Chicopee.
6th,	Springfield, Wards 1, 4, 8, }	George F. Fuller, . . Willmore B. Stone, . .	Springfield. Springfield.
7th,	Springfield, Ward 5, .	Charles L. Young, . .	Springfield.
8th,	Springfield, Wards 2, 3, } 6, 7, }	Benjamin C. Harvey, . Francis R. Richmond, .	Springfield. Springfield.
9th,	{ East Longmeadow, . . Longmeadow, . . . Hampden, . . . Wilbraham, . . . Monson, . . . Wales, . . . }	Charles W. King, . .	Monson.
10th,	{ Ludlow, . . . Palmer, . . . Brimfield, . . . Holland, . . . }	Thomas W. Kenefick, .	Palmer.

COUNTY OF FRANKLIN.

1st,	{ Greenfield, . . . Shelburne, . . . Bernardston, . . . }	Herbert C. Parsons, .	Greenfield.
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COUNTY OF FRANKLIN — CONCLUDED.

District.	Town or Ward.	Name of Representative.	Residence.
2d,	{ Warwick, . . . Orange, . . . New Salem, . . . Erving, . . . Shutesbury, . . . }	Edward H. Harding, .	Orange.
3d,	{ Northfield, . . . Gill, . . . Montague, . . . Wendell, . . . }	Benjamin W. Mayo, .	Montague.
4th,	{ Leverett, . . . Sunderland, . . . Whately, . . . Deerfield, . . . Conway, . . . }	John B. Packard, . .	Conway.
5th,	{ Ashfield, . . . Buckland, . . . Charlemont, . . . Colrain, . . . Hawley, . . . Heath, . . . Leyden, . . . Rowe, . . . Monroe, . . . }	C. Wells Severence, .	Leyden.

COUNTY OF BERKSHIRE.

1st,	{ New Ashford, . . . Williamstown, . . . North Adams, . . . Florida, . . . Clarksburg, . . . }	George H. Kearn, . . Clinton Q. Richmond, .	North Adams. North Adams.
2d,	{ Adams, . . . Cheshire, . . . Savoy, . . . }	Thomas Riley, . . .	Adams.
3d,	{ Hancock, . . . Lanesborough, . . . Lenox, . . . Windsor, . . . Peru, . . . Hinsdale, . . . Washington, . . . Richmond, . . . }	Henry R. Van Rensselaer,	Lanesborough.

COUNTY OF BERKSHIRE — CONCLUDED.

District.	Town or Ward.	Name of Representative.	Residence.
4th,	{ Pittsfield, Wards 1-7, Dalton, . . . }	George W. Bailey, . William Tolman, .	Pittsfield. Pittsfield.
5th,	{ Stockbridge, . . Lee, . . . Becket, . . . }	Daniel B. Fenn, . .	Stockbridge.
6th,	{ West Stockbridge, . Alford, . . . Egremont, . . . Great Barrington, . }	Charles W. Ray, . .	Gt. Barrington.
7th,	{ Monterey, . . . Otis, . . . Sandisfield, . . . New Marlborough, . Sheffield, . . . Mt. Washington, . Tyringham, . . }	Edward O. Northway, .	Sandisfield.

COUNTY OF NORFOLK.

1st,	{ Dedham, . . . Norwood, . . . }	Henry D. Humphrey, .	Dedham.
2d,	Brookline, . . .	Charles H. Utley, . .	Brookline.
3d,	Hyde Park, . . .	Charles F. Light, . .	Hyde Park.
4th,	{ Milton, . . . Canton, . . . }	John Malcolm Forbes, .	Milton.
5th,	{ Quincy, Wards 1-6, . Weymouth, . . . }	James H. Flint, . . . Thaddeus H. Newcomb, James Thompson, . .	Weymouth. Quincy. Quincy.
6th,	{ Braintree, . . . Holbrook, . . . }	Will W. Mayhew, . .	Braintree.
7th,	{ Randolph, . . . Stoughton, . . . Avon, . . . Sharon, . . . Walpole, . . . }	George W. Porter, . . George Albert Wales, .	Avon. Stoughton.
8th,	{ Franklin, . . . Foxborough, . . . Wrentham, . . . Bellingham, . . . Medway, . . . Norfolk, . . . }	Daniel Brown, . . . Jefferson C. Gallison, .	Wrentham. Franklin.

COUNTY OF NORFOLK — CONCLUDED.

District.	Town or Ward.	Name of Representative.	Residence.
9th,	{ Needham, . . . } { Dover, . . . } { Medfield, . . . } { Wellesley, . . . } { Millis, . . . }	Albert Clarke, .	Wellesley.

COUNTY OF PLYMOUTH.

1st,	Plymouth, . . .	Horace P. Bailey, .	Plymouth.
2d,	{ Marshfield, . . . } { Plympton, . . . } { Kingston, . . . } { Duxbury, . . . }	Albert T. Sprague, .	Marshfield.
3d,	{ Scituate, . . . } { Norwell, . . . } { Hanson, . . . } { Pembroke, . . . }	Lloyd F. Hammond, .	Norwell.
4th,	{ Cohasset, . . . } { Hingham, . . . } { Hull, . . . }	Walter L. Bouvé, .	Hingham.
5th,	{ Rockland, . . . } { Hanover, . . . }	Joshua S. Gray, .	Rockland.
6th,	{ Whitman, . . . } { Abington, . . . }	Ernest W. Calkins, .	Abington.
7th,	{ Mattapoisett, . . . } { Marion, . . . } { Wareham, . . . } { Rochester, . . . } { Carver, . . . }	Harvey Crocker, .	Wareham.
8th,	{ Middleborough, . . . } { Lakeville, . . . } { Halifax, . . . }	Samuel S. Bourne, .	Middleboro'.
9th,	{ Bridgewater, . . . } { East Bridgewater, . . . } { West Bridgewater, . . . }	Francis M. Kingman, .	E. Bridgewater.
10th,	Brockton, Wards 4, 5, 6, .	A. Webster Butler, .	Brockton.
11th,	Brockton, Wards 2, 3, .	Frederic Hanson, .	Brockton.
12th,	Brockton, Wards 1, 7, .	Charles W. Tilton, .	Brockton.

COUNTY OF BRISTOL.

District.	Town or Ward.	Name of Representative.	Residence.
1st,	{ Attleborough, . . . North Attleborough, . . . Norton, . . . Seekonk, . . . }	Burrill Porter, Jr., . . Mark O. Wheaton, . .	N. Attleboro'. Attleborough.
2d,	{ Mansfield, . . . Easton, . . . Raynham, . . . }	George G. Withington, .	Easton.
3d,	{ Taunton, Wards 1-8, Berkley, . . . }	T. Preston Burt, . . . E. Clarence Holt, . . . William W. Waterman,	Taunton. Taunton. Taunton.
4th,	{ Fairhaven, . . . Acushnet, . . . Freetown, . . . }	Nathan R. Davis, . .	Freetown.
5th,	{ New Bedford, Wards 1, 2, 3, . . . }	Thomas M. Denham, . . Samuel Ross, . . .	New Bedford, New Bedford.
6th,	{ New Bedford, Wards 4, 5, 6, . . . }	Frank W. Francis, . . Fred D. Stanley, . .	New Bedford. New Bedford.
7th,	{ Westport, . . . Dartmouth, . . . }	John O. Slocum, . .	Dartmouth.
8th,	{ Fall River, Wards 1, 2, 3, 4, 6, . . . }	J. Dwight Brady, . . Thomas Donahue, . . James Driscoll, . .	Fall River. Fall River. Fall River.
9th,	{ Fall River, Wards 5, 7, 8, 9, . . . }	Charles E. Mills, . . David F. Slade, . .	Fall River. Fall River.
10th,	{ Dighton, . . . Somerset, . . . Swanzey, . . . Rehoboth, . . . }	Frank M. Trafton, . .	Somerset.

COUNTY OF BARNSTABLE.

1st,	{ Falmouth, . . . Bourne, . . . Sandwich, . . . Mashpee, . . . Barnstable, . . . Yarmouth, . . . Dennis, . . . }	Charles C. Crocker, . . Seba A. Holton, . .	Barnstable. Falmouth.
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COUNTY OF BARNSTABLE — CONCLUDED.

District.	Town or Ward.	Name of Representative.	Residence.
2d,	{ Harwich, . . . Chatham, . . . Brewster, . . . Orleans, . . . }	Theophilus B. Baker, .	Harwich.
3d,	{ Eastham, . . . Wellfleet, . . . Truro, . . . Provincetown, . . . }	Luther Nickerson, . .	Provincetown.

COUNTY OF DUKES COUNTY.

1st,	{ Chilmark, . . . Cottage City, . . . Edgartown, . . . Gay Head, . . . Gosnold, . . . Tisbury, . . . West Tisbury, . . . }	Otis Foss,	Cottage City.
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COUNTY OF NANTUCKET.

1st,	Nantucket,	John J. Gardner, . . .	Nantucket.
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GEORGE T. SLEEPER, *Clerk.*
 DANIEL W. WALDRON, *Chaplain.*
 JOHN G. B. ADAMS, *Sergeant-at-Arms.*

JUDICIAL DEPARTMENT.

SUPREME JUDICIAL COURT.

CHIEF JUSTICE.

WALBRIDGE A. FIELD, of *Boston.*

ASSOCIATE JUSTICES.

CHARLES ALLEN, of *Boston.*
 OLIVER WENDELL HOLMES, of *Boston.*
 MARCUS P. KNOWLTON, of *Springfield.*
 JAMES M. MORTON, of *Fall River.*
 JOHN LATHROP, of *Boston.*
 JAMES MADISON BARKER, of *Pittsfield.*

SUPERIOR COURT.

CHIEF JUSTICE.

ALBERT MASON, of *Brookline.*

ASSOCIATE JUSTICES.

CALEB BLODGETT, of *Boston.*
 JOHN W. HAMMOND, of *Cambridge.*
 JUSTIN DEWEY, of *Springfield.*
 EDGAR J. SHERMAN, of *Lawrence.*
 JAMES R. DUNBAR, of *Brookline.*
 ROBERT R. BISHOP, of *Newton.*
 DANIEL W. BOND, of *Northampton.*
 HENRY K. BRALEY, of *Fall River.*
 JOHN HOPKINS, of *Millbury.*
 ELISHA BURR MAYNARD, of *Springfield.*
 FRANKLIN G. FESSENDEN, of *Greenfield.*
 JAMES B. RICHARDSON, of *Boston.*
 CHARLES S. LILLEY, of *Lowell.*
 HENRY N. SHELDON, of *Boston.*
 FRANCIS A. GASKILL, of *Worcester.*

JUDGES OF PROBATE AND INSOLVENCY.

JOHN W. McKIM, Boston,	SUFFOLK.
ROBERT GRANT, Boston,	SUFFOLK.
ROLLIN E. HARMON, Lynn,	ESSEX.
CHARLES J. McINTIRE, Cambridge,	MIDDLESEX.
GEORGE FIELD LAWTON, Lowell,	MIDDLESEX.
WILLIAM T. FORBES, Westborough,	WORCESTER.
WILLIAM G. BASSETT, Northampton,	HAMPSHIRE.
CHARLES L. LONG, Springfield,	HAMPDEN.
CHESTER C. CONANT, Greenfield,	FRANKLIN.
EDWARD T. SLOCUM, Pittsfield,	BERKSHIRE.
GEORGE WHITE, Newton,	NORFOLK.
BENJAMIN W. HARRIS, East Bridgewater,	PLYMOUTH.
WILLIAM E. FULLER, Taunton,	BRISTOL.
HIRAM P. HARRIMAN, Wellfleet,	BARNSTABLE.
JOSEPH T. PEASE, Edgartown,	DUKES.
THADDEUS C. DEFRIEZ, Nantucket,	NANTUCKET.

REGISTERS OF PROBATE AND INSOLVENCY.

ELIJAH GEORGE, Boston,	SUFFOLK.
JEREMIAH T. MAHONEY, Salem,	ESSEX.
SAMUEL H. FOLSOM, Winchester,	MIDDLESEX.
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[Congressional Districts established by Chap. 396, Acts of 1891.]

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 II.—FREDERICK H. GILLETT, of *Springfield*.
 III.—JOSEPH H. WALKER, of *Worcester*.
 IV.—LEWIS DEWART APSLEY, of *Hudson*.
 V.—WILLIAM S. KNOX, of *Lawrence*.
 VI.—WILLIAM H. MOODY, of *Haverhill*.
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 IX.—JOHN F. FITZGERALD, of *Boston*.
 X.—HARRISON H. ATWOOD, of *Boston*.
 XI.—WILLIAM F. DRAPER, of *Hopedale*.
 XII.—ELIJAH A. MORSE, of *Canton*.
 XIII.—JOHN SIMPKINS, of *Yarmouth*.

The following tables have been prepared by FISHER AMES, Esq., appointed to that duty under Chapter 238 of the Acts of 1882, which directs the Governor to appoint some person to prepare “tables showing what general statutes have been affected by subsequent legislation, in such manner as to furnish ready reference to all changes in such statutes.”

TABLES

SHOWING

WHAT GENERAL STATUTES OF THE COMMONWEALTH
HAVE BEEN AFFECTED BY SUBSEQUENT
LEGISLATION.

I.

CHANGES IN THE "PUBLIC STATUTES."

Chapter 1. — Of the Jurisdiction of the Commonwealth and Places ceded to the United States.

SECT. 1. Provision is made for defining the boundary line between Massachusetts and Rhode Island. St. 1883, 113, 154. Between Massachusetts and New Hampshire. Res. 1885, 73; 1886, 58; 1890, 73; 1891, 70; 1895, 106. And between Massachusetts, New Hampshire and Vermont. Res. 1893, 87.

SECT. 3. A part of Gallop's island in Boston harbor is added. St. 1889, 27. And certain lands in Winthrop. St. 1891, 81. And in Taunton. St. 1891, 197.

SECT. 4. Lands for the use of the United States fisheries commission added. St. 1882, 131.

Chapter 2. — Of the General Court.

Legislation recommended by State boards, etc., shall be reported to the secretary of the Commonwealth before first Wednesday in January. St. 1893, 144.

The employment of legislative counsel and agents is regulated and provision made for returns of expenses therefor. St. 1890, 456; 1891, 223; 1895, 410; 1896, 342. (See 1891, 349; 1894, 298.)

SECT. 5 *et seq.* Manner of publishing notice and presenting petitions changed in certain cases. St. 1885, 24; 1890, 302; 1896, 381. (See 1885, 371; 1888, 375 § 3.)

SECTS. 15, 16. Compensation of members changed. The issuing to or acceptance by them of railroad tickets free, or at less than usual rates, is forbidden. St. 1892, 59. (See 1884, 319; 1886, 352; 1894, 359.)

SECTS. 17, 18. Compensation of door-keepers, messengers, postmaster and pages fixed. St. 1895, 193. (See 1882, 257; 1887, 116. Res. 1894, 86.)

SECTS. 21, 22. Clerks' salaries fixed and allowance made for clerical assistance. St. 1884, 329, 334; 1888, 1; 1894, 394. (See 1882, 257.)

SECTS. 24, 35 repealed. St. 1884, 60.

SECT. 27. Number of door-keepers, etc., increased. St. 1882, 257 § 4; 1895, 11.

SECT. 32. See St. 1892, 124; 1893, 417 § 137.

SECT. 34. Additional holidays. St. 1882, 49; 1887, 263. Fast Day abolished and April 19 made a holiday. St. 1894, 130; 1896, 162.

Chapter 3.—Of the Statutes.

A commission is established to promote uniformity of legislation in the United States. St. 1891, 405; 1893, 311.

Provision for codification of public statutes. Res. 1896, 87.

SECT. 1. When an act is to be voted on for acceptance by a municipal or other corporation, a return of the vote must be made to the secretary of the Commonwealth. St. 1883, 100.

SECT. 3. Words "mayor and aldermen" defined. St. 1882, 164.

"Net indebtedness" of towns, cities and districts defined. St. 1883, 127.

Legal notices may be published in a periodical devoted exclusively to legal news. St. 1885, 235.

Word "gaming" includes lotteries, policy, pool buying or selling and registering bets. St. 1895, 419 § 1.

Chapter 4.—Of the Printing and Distribution of the Laws and Public Documents.

This chapter is revised. St. 1894, 393; 1895, 96, 238, 250, 290, 363, 463 § 2; 1896, 86, 189, 221, 223, 258. (See 1882, 6, 158; 1883, 55; 1884, 166; 1885, 369; 1886, 346 § 2; 1887, 118; 1888, 23, 85, 122, 186, 191, 256, 383; 1889, 32, 35, 124, 150, 164, 212, 440; 1890, 50, 97, 126, 223 § 3, 423 § 118; 1891, 76, 191, 193, 292; 1892, 140; 1893, 70, 108, 223, 413, 417 § 204, 438; 1894, 200. Res. 1886, 36; 1891, 60; 1894, 20; 1896, 5, 26, 27, 33, 35, 42, 61, 70, 88, 96, 99, 111.)

Provision is made for publishing tables of changes in the general statutes. St. 1882, 238. For reports of election cases. Res. 1886, 36. For reports of capital cases. St. 1886, 214. For supplements to the Public Statutes. St. 1888, 383. Res. 1891, 60. St. 1895, 363. Histories of certain Massachusetts soldiers and sailors. St. 1889, 374; 1891, 235. Res. 1891, 100; 1892, 67. (See St. 1893, 411, 413. Res. 1895, 62, 104. Res. 1896, 87.)

Provision made for payment of postage and express charges on certain public documents. St. 1895, 93. (See 1889, 53; 1892, 422.)

No illustrations shall be introduced into printed reports to the governor or legislature unless authorized by law, or approved by secretary of state. St. 1896, 258.

Chapter 5.—Of the State House, the Sergeant-at-Arms and State Library.

Additional accommodations are provided for. St. 1882, 262; 1888, 349; 1889, 300, 394; 1892, 404, 438; 1893, 450; 1894, 532. (See 1891, 224; 1893, 129, 325; 1895, 39, 490; 1896, 531, 549. Res. 1891, 21, 25; 1892, 34, 96.) Portraits of governors to be collected. Res. 1890, 58; 1895, 54.

SECTS. 4, 6, 9. 10. The duties of the sergeant-at-arms are revised. St. 1884, 14; 1887, 128; 1889, 53; 1890, 456 § 2; 1891, 228; 1894, 230 § 2, 298; 1895, 11, 284.

He shall give bond for faithful performance of duties and accounting. St. 1895, 284 § 3.

Clerk provided for. St. 1887, 128. Salaries fixed: Sergeant-at-arms. St. 1895, 284 § 2. (See 1884, 333; 1887, 128.) Clerk. St. 1893, 358. (See 1887, 128.) Messenger. St. 1893, 409. Certain expenses provided for. St. 1894, 314; 1895, 10, 365. (See Res. 1895, 68.)

SECT. 12 is revised. Contingent expenses of the council and officers in the State House are omitted. St. 1887, 128. Authority enlarged. St. 1894, 531.

SECT. 15 *et seq.* The trustees and librarian are authorized to prepare an index of current events. St. 1892, 140.

SECT. 17 repealed. Appointment of trustees and librarian regulated and salaries fixed. St. 1893, 86. (See 1887, 209; 1892, 287.)

SECT. 18. Additional allowance made for assistance in State library. St. 1891, 24. (See 1882, 29; 1886, 66.)

SECT. 20. Appropriation for books, furniture, etc., increased. St. 1888, 24. (See 1882, 196.)

Chapter 6.—Of the Qualification and Registration of Voters.

This chapter is revised. St. 1893, 417 §§ 13-70; 1894, 268, 271, 291; 1895, 2, 27, 61, 207, 220, 489, 502; 1896, 73, 109, 469. (See 1882, 247, 268; 1884, 298; 1885, 246, 271 § 6, 345 § 7; 1886, 68, 264; 1887, 249, 329, 432; 1888, 200, 206; 1889, 69, 196, 337 § 1, 404; 1890, 393, 423 §§ 2-65, 208; 1891, 242, 277, 286, 290, 395; 1892, 351; 1893, 209, 351; 1895, 425; 1896, 363, 527, 547. Amendments to constitution, arts. 3, 32.)

Chapter 7.—Of the Manner of Conducting Elections and Returning Votes.

This chapter is revised, and the laws relating to elections codified and consolidated. St. 1893, 417, 465; 1894, 132, 200, 209, 275, 343, 504; 1895, 196, 220, 237, 240, 242, 244, 253, 262, 275, 285, 299, 323, 355, 489, 502, 507, 508; 1896, 244, 383, 469, 518. (See 1882, 28, 74, 260; 1883, 42, 100, 229; 1884, 299; 1885, 108, 142, 159, 229, 248, 268, 351; 1886, 49, 262, 264; 1887, 272, 371; 1888, 146, 164, 203, 353, 434, 436, 437, 441; 1889, 191, 413; 1890, 175, 219, 223, 254, 381, 386, 393, 423, 436; 1891, 10, 31, 74, 155, 238, 256, 264, 269, 270, 278, 305, 314, 328, 329, 336; 1892, 51, 115, 124, 190, 224, 279, 316, 332, 368, 405, 406, 416, 431; 1893, 39, 87, 146, 177, 209, 304, 307, 308, 349, 351, 376; 1894, 248, 385 § 2, 449; 1895, 89, 436, 502; 1896, 363, 393, 527.)

Political committees and caucuses are regulated. St. 1895, 489, 502, 507; 1896, 109, 435, 469. (See 1888, 441; 1893, 417 §§ 71-74; 1894, 504.)

Provision for inquests in election cases. St. 1895, 355.

An act relative to the State ballot law commission. St. 1896, 383. (See 1889, 413; 1890, 436 § 5; 1891, 270; 1892, 406; 1893, 417 §§ 92-95; 1893, 343.)

McTammany voting machines are authorized. St. 1893, 465; 1896, 498. And stamps for marking ballots. St. 1896, 518.

Chapter 8.—Of the Election of Governor and other State Officers.

This chapter is revised. St. 1893, 417 §§ 146, 247, 285, 306, 307. (See 1884, 299 § 7; 1885, 107; 1886, 262 § 5; 1890, 423 §§ 146-164, 228.)

New senatorial and councillor districts are established, and new apportionment made of representatives. St. 1896, 509. (See 1886, 256, 338, 348.)

Chapter 9.—Of the Election of Representatives in Congress and Electors of President and Vice President.

This chapter is revised. St. 1893, 417, Title IX. (See 1888, 382; 1890, 423 §§ 165-187, 228; 1892, 279.)

New congressional districts established. St. 1896, 519. (See 1891, 396.) The requirement of residence in the district is omitted. St. 1882, 253.

Chapter 10.—Of the Election of District and County Officers.

This chapter is revised. St. 1893, 417, Title IX. (See 1890, 423 §§ 188-207; 1892, 115; 1893, 39.)

The office of commissioner of insolvency is abolished. St. 1895, 100. (See Res. 1894, 87.)

Chapter 11.—Of the Assessment of Taxes.

Provision is made for a State tax on certain collateral successions and grants. St. 1891, 425; 1892, 379; 1893, 432; 1895, 307, 430; 1896, 168.

Polls and estates established as a basis for apportionment of State and county taxes. St. 1895, 90. (See 1883, 71; 1886, 73; 1889, 103; 1892, 96.)

The rate of taxation is limited in cities. St. 1885, 312 § 1; 1893, 247, 445. (See 1885, 178; 1887, 226.)

Provision for assessment of property held for water-supply purposes in another city or town. St. 1893, 352.

The assessors may divide any ward in a city into convenient assessment districts. St. 1889, 115.

They shall print and distribute in cities and certain towns, and post in other towns, lists of voters and polls. St. 1893, 417 § 18. (See 1884, 298 § 19; 1888, 206; 1890, 305, 423 §§ 25, 26; 1891, 277; 1892, 351 §§ 7-10.)

SECT. 1. As to poll taxes on females, see St. 1893, 417 §§ 14, 16.

SECT. 4. "Or indebtedness" substituted for "due" in sixth line. St. 1882, 76. But see St. 1888, 363. Words "this proviso shall apply to corporations mentioned in Pub. St., ch. 13 § 46," added. St. 1887, 228.

Railroad bonds are made taxable. St. 1888, 363.

Personal property leased for profit is made taxable, where situate, to the owner or person having possession. St. 1889, 446.

SECT. 5, cl. 3, is revised. Certain societies and associations are added. St. 1889, 465. (See 1882, 217 § 2; 1886, 231; 1888, 158.)

Cl. 9. Certain real estate of incorporated horticultural societies is exempted. St. 1884, 176.

Cl. 10. It does not affect the exemption that the property is owned in common with others. St. 1885, 169.

Cl. 11. Domestic fowls to the value of fifteen dollars exempted. St. 1894, 220.

Cl. 12. See St. 1884, 298 § 7. Property of certain disabled soldiers and sailors exempted to the amount of \$2,000. St. 1895, 202. (See 1894, 315.)

SECT. 6. See St. 1883, 189.

SECT. 10. The provisions of this section are extended. St. 1893, 149. (See 1887, 373; 1889, 286; 1891, 116.)

SECT. 13. The person appearing as the owner of record is to be held to be the true owner even though deceased. St. 1889, 84.

SECT. 14 amended. "Taxable real estate," in first line, changed to "real estate not exempt from taxation under section five of this chapter." St. 1882, 175 § 3.

SECTS. 14-16. See St. 1888, 390, §§ 32-34; 1889, 334.

SECT. 20. Provision made for assessment of personal property held by an assignee in insolvency, or for creditors; and of personal property held by joint owners or tenants in common, other than partners. St. 1882, 165.

Royalty-paying machines are assessable. St. 1887, 125. Personal property leased for profit shall be assessed where situated. St. 1889, 446.

Cl. 2. An act to prevent the double taxation of certain machinery. St. 1894, 304.

Cl. 5. Amended to prevent double taxation. St. 1894, 490.

Cl. 6. See St. 1888, 390 § 26.

Cl. 7. See St. 1891, 425.

SECT. 31 *et seq.* See St. 1885, 312; 1893, 247, 445.

SECT. 34. See St. 1882, 138.

SECT. 38. Returns of mortgages of real estate provided for. St. 1882, 175. And of property held for literary, benevolent, charitable or scientific purposes. St. 1882, 217; 1888, 323. Uniform form of returns provided for. St. 1894, 294.

SECT. 38 *et seq.* See St. 1884, 298 §§ 11-14; 1888, 200, 206; 1890, 423 § 17; 1893, 352, 417 §§ 16-21.

SECTS. 38, 72. See Res. 1892, 55.

SECT. 39 amended. St. 1891, 381.

SECT. 44. Provision for abatement without a new list in certain cases. St. 1894, 354.

SECT. 49. The overlay is valid, although it may cause the tax to exceed the legal limit. St. 1887, 226. (See 1885, 312; 1887, 281; 1888, 362; 1893, 247, 445.)

SECT. 50. Provision for free access to lists of valuation and assessment. St. 1888, 307.

SECTS. 52-55 are amended and changes made in returns. St. 1883, 41, 91; 1890, 242; 1891, 65. (See 1885, 106; 1886, 56; 1887, 86. Amendments to constitution, art. 32.) As to Boston, see St. 1894, 318.

SECT. 61. Assessors shall certify amount assessed upon each poll as State and county tax respectively. St. 1889, 467 § 1.

SECT. 69. Tenants under obligation to pay taxes may apply for abatement. St. 1888, 315. (St. 1890, 127.)

SECTS. 69-76. Appeal may be made to superior court. Proceedings regulated. St. 1890, 127; 1895, 75. (See 1882, 218; 1893, 352 § 3.)

SECT. 73. See St. 1884, 298 § 11; 1888, 200; 1890, 423; 1893, 417.

SECT. 75. Interest allowed on taxes abated. St. 1894, 207.

SECT. 77. See St. 1885, 67, 161.

SECT. 78 is revised. St. 1888, 362. (See 1886, 85.)

SECT. 90. Assessors must send to tax commissioner all lists and statements received of exempt property. St. 1882, 217 § 3.

SECT. 91. Amount of sinking funds or proportionate annual payments of debts must be given. St. 1882, 133 § 2.

SECT. 92. As to Boston, see St. 1882, 252 § 5; 1892, 419 § 138.

SECT. 93. Apportionment of State and county taxes is to be stated on tax bills of males assessed for poll tax only, and they are not entitled to a certificate under this section. St. 1889, 467 § 2. (See 1884, 298 § 8.)

SECTS. 96, 97. For apportionments, see St. 1883, 71; 1886, 73; 1889, 103; 1892, 96; 1895, 90.

Chapter 12. — Of the Collection of Taxes.

This chapter is repealed, and the law as to the collection of taxes revised and codified. St. 1888, 390; 1889, 253, 334; 1890, 331; 1891, 288; 1892, 109, 168, 370; 1893, 241; 1894, 537. (See 1882, 243; 1883, 101; 1884, 162, 242; 1886, 320; 1887, 110, 142.)

The service of process in the collection of taxes is regulated. St. 1892, 168. Provision made for preservation of accounts, papers and records relating to assessment and collection of taxes. St. 1892, 370.

State treasurer may sue to recover the State legacy and succession tax. St. 1891, 425 § 18.

Provision to prevent excessive charges in redemption of tax titles. St. 1891, 288.

Chapter 13. — Of the Taxation of Corporations.

Office of deputy tax commissioner abolished and that of tax commissioner and commissioner of corporations established; duties defined and salary fixed. St. 1890, 160; 1891, 233 § 2, 360; 1894, 484. (See 1882, 217 § 3, 252 § 5; 1887, 214 § 94, 342 § 1; 1890, 127 § 7.)

SECT. 2. Salaries of clerks fixed and allowance made for clerical assistance. St. 1887, 342 § 2; 1891, 342.

SECT. 6. See St. 1882, 217 § 3, 252 § 5.

SECTS. 8, 9. Provision made for counsel to defend suits to recover a national bank tax paid to a city or town. St. 1886, 332. (See 1887, 142 § 3; 1888, 390 § 95.)

SECTS. 17, 40. Title insurance companies are to be taxed under these sections. St. 1884, 180 § 5; 1887, 214 §§ 62-64.

SECT. 20. The exemption is extended. (See ch. 116 § 20, cl. 8.) St. 1883, 248. (See 1886, 77.)

SECTS. 20, 22. Taxes upon savings banks to be assessed by, and returns made to tax commissioner. St. 1890, 160 § 4. Provision for repayment of tax on real estate used for banking purposes. St. 1890, 406; 1891, 171.

SECT. 24 is repealed. The capital stock, franchises and personal estate, but not the real estate, of co-operative banks are exempted. St. 1890, 63. (See 1883, 98; 1885, 121 § 3.)

SECT. 25 *et seq.* The provisions as to the taxation of insurance companies are revised, and §§ 26, 34, 37 are amended. St. 1887, 283; 1888, 154; 1890, 197; 1892, 129. (See 1887, 214 §§ 19, 64.)

SECT. 33 amended. When reinsurance is effected otherwise than by licensed resident agent no deduction is to be made for sums paid therefor. St. 1888, 154. (See 1887, 214; 1890, 197; 1892, 129.)

SECTS. 38-40. Telephone companies are to be taxed under these sections. St. 1885, 238; 1886, 270.

SECTS. 40, 52, 53, 54, 57, 58, 59. Taxation of safe deposit, loan and trust companies regulated. St. 1888, 413 §§ 21-24.

SECT. 43. Taxation of foreign mining, quarrying, land and oil companies regulated. St. 1882, 106; 1883, 74; 1884, 330 § 3; 1886, 230. (See 1891, 341.)

SECT. 46. Corporations mentioned in this section are within the proviso of ch. 11 § 4, as to local taxation. St. 1887, 228. Rate of taxation fixed. St. 1895, 300.

SECTS. 61, 62. Appeal from assessors may be made to superior court. Proceedings regulated. St. 1890, 127. (See 1895, 75.)

Chapter 14. — Of the Militia.

This chapter is revised. St. 1893, 367, 439; 1894, 236; 1895, 465; 1896, 348, 425. (See 1882, 97, 154 § 11, 178, 179; 1884, 45, 230; 1885, 147, 236; 1886, 63, 105, 237; 1887, 411; 1888, 366, 384; 1889, 360; 1890, 425; 1891, 232; 1892, 238, 366; 1893, 193, 231. Res. 1882, 15; 1890, 67.)

A naval brigade is established. St. 1892, 366; 1893, 367 § 29; 1894, 312; 1896, 182. (See 1888, 366.) And a nautical training school. St. 1891, 402; 1893, 124.

Provision made for armories in cities. St. 1888, 384; 1894, 211. (See 1893, 367 §§ 92-97; 1895, 465 § 5.)

The law defining what bodies of men may parade with arms is revised. St. 1895, 465 § 6. (See 1887, 411 § 124; 1890; 425 § 10; 1893, 367 § 124. Res. 1890, 67.)

Ambulance corps reorganized. St. 1894, 236.

Provision is made for appointment of a State military and naval historian. St. 1889, 374; 1891, 235. (See Res. 1894, 14, 94; 1895, 62, 104; 1896, 80.) And for a compilation of records of the revolutionary war. Res. 1891, 100. And of the grand army of the republic. St. 1893, 411. (See St. 1893, 413.)

Chapter 15.—Of the Executive Department and the Secretary of the Commonwealth.

Provision for delegates to certain national conventions. St. 1894, 376.

SECTS. 1-10. Salaries fixed: Governor; St. 1892, 101. (See 1884, 328; 1892, 59.) Governor's private secretary and executive clerk; St. 1891, 411. (See 1884, 8; 1885, 77; 1887, 83.) Executive messenger; 1891, 429. (See 1884, 38; 1887, 221.) Stenographer; 1892, 16. Secretary of the Commonwealth; 1888, 385. (See 1884, 79.) First and second clerks; 1891, 410. (See 1885, 87; 1886, 238.) Third clerk; 1893, 103. (See 1883, 48; 1887, 26.) Allowance for messenger and clerk hire; 1890, 239; 1893, 112; 1895, 402. And for extraordinary expenses. St. 1890, 415. (See 1884, 15; 1889, 101; 1890, 455.)

The secretary is required to give bond and make annual reports. St. 1892, 262; 1893, 148; 1896, 443. (See 1894, 393 § 7.)

SECT. 2. Salary of lieutenant governor, when acting governor, fixed. St. 1896, 347.

SECT. 9. Additional duties of the secretary: As to elections. St. 1893, 417; 1895, 242. (See 1888, 436 §§ 13, 14; 1890, 223 § 3, 423 § 118; 1891, 328, 329; 1892, 124, 416 § 18. Res. 1896, 78.) Changes of names of corporations. St. 1891, 360, § 5. As to returns of medical examiners. St. 1885, 379 §§ 4-6. Department records. St. 1883, 99. Res. 1884, 60. St. 1885, 337; 1894, 378. (See Res. 1893, 30, 32.) Reports recommending legislation. St. 1893, 144; 1896, 258. State printing. St. 1896, 248, 258. (See 1893, 287.) Care of Commonwealth building. St. 1884, 14. Sale of railroad equipments, etc. St. 1894, 326 § 2. (See 1893, 413.) Index to state archives, Res. 1896, 83.

SECT. 12. Form and device of the great seal established. St. 1885, 288.

SECT. 15 is repealed. Blank forms for returns are to be furnished by the commissioners of prisons. St. 1882, 226.

Chapter 16.—Of the Auditor, Treasurer and Matters of Finance.

The par of exchange established by U. S. Rev. St. § 3565 is adopted. St. 1882, 110.

Duties of auditor extended. St. 1882, 22; 1883, 258, 264; 1884, 179, 207, 255 § 30; 1885, 41, 313, 371 § 2, 385; 1886, 300; 1887, 87; 1891, 384; 1893, 287, 417 § 123.

Provision made for auditing accounts of county officers, officers of inferior courts and trial justices, and for returns and payments by them. St. 1887, 438; 1888, 275; 1890, 216, 306, 380 § 3; 1893, 257, 270; 1894, 183, 248. (See 1886, 169; 1890, 204, 215.)

Provision made for an agent to prosecute claims of the Commonwealth against the United States. Res. 1883, 45.

Claims under St. 1862, 62; 1863, 254, to be filed with the auditor. St. 1882, 112. (See 1894, 67.)

Provisions of this chapter extended to advances on account of nautical training school. St. 1893, 124.

SECT. 2. Salaries fixed. Auditor; St. 1889, 70. (See 1885, 195.) Clerks; St. 1891, 375. Expert in printing; St. 1893, 287. (See 1885, 195; 1887, 30; 1888, 432.) Clerical assistance. St. 1894, 397.

SECT. 7. Time for auditor's report changed. St. 1884, 207.

SECT. 17. Clerks and clerical assistance provided for, and salaries of treasurer and clerks fixed. St. 1885, 263; 1886, 38, 334; 1889, 349; 1891, 233; 1893, 432; 1895, 276, 392; 1896, 326. (See 1882, 111; 1883, 164; 1885, 15; 1891, 310.) Office hours regulated. St. 1886, 257.

Provisions in regard to trust deposits. St. 1891, 233; 1893, 224; 1894, 522 §§ 79, 94. (See 1887, 214 § 94.)

SECT. 18 superseded. St. 1890, 160.

SECTS. 19, 26, 60. Provision for management of surplus accumulations of sinking funds. St. 1891, 259. (See 1893, 424.) Certain moneys are to be paid into the school fund. St. 1890, 335; Res. 1894, 90.

Treasurer may receive from the United States, and pay over, sums for the soldiers' home. St. 1890, 373. (See 1889, 282.) And moneys from cities and towns in support of practice and model schools. St. 1896, 133.

SECT. 26. Annual financial estimates are to be made to the auditor. St. 1885, 41.

SECT. 28. Advances for small expenses and method of accounting therefor provided for. St. 1884, 179; 1887, 269 § 5, 438; 1888, 180, 322; 1890, 58; 1891, 54; 1893, 124; 1894, 245, 314; 1895, 10. (See 1895, 34.)

Certain unclaimed funds shall be paid to the treasurer. St. 1890, 330.

SECT. 42 repealed, and power of committees to cause hearings to be advertised limited. St. 1885, 371. (See 1885, 24.)

SECT. 52. Payments of money from sales of public property regulated. St. 1884, 326.

SECT. 53. Suits for collateral legacy and succession tax are to be brought by the treasurer. St. 1891, 425 § 18. (See 1892, 379; 1893, 432.)

SECT. 54. Advances on account of monthly salaries authorized. St. 1895, 34.

SECT. 55 extended to trust and safe deposit companies approved by the governor and council. St. 1891, 310.

SECT. 60. Additional investments are allowed. St. 1882, 130.

SECTS. 72, 73 repealed. St. 1887, 438 § 8. (See 1886, 169; 1888, 275; 1890, 216, 306, 380; 1893, 270.)

Chapter 17. — Of the Attorney-General and the District Attorneys.

SECTS. 1, 2. Duties and authority of the attorney-general regulated. St. 1896, 490. (See 1886, 216; 1888, 425.)

Salaries fixed. St. 1889, 402. (See 1896, 490 § 3.)

SECT. 3. Attorney-general shall appear in capital cases when the public interests require it. St. 1891, 379 § 10; 1893, 324.

SECT. 8 extended. St. 1892, 159; 1894, 127; 1895, 373.

SECT. 9. Attorney-general may cause reports of capital cases to be published. St. 1886, 214. (See 1890, 374; 1895, 372.)

SECT. 10. Allowance for contingent expenses increased. St. 1890, 388.

SECTS. 13-15. Salaries fixed and assistants allowed: Eastern district; St. 1882, 156, 157; 1888, 289. Middle; 1889, 250. (See 1885, 168.) Assistant; 1888, 157; 1893, 138. Southern; 1892, 319. Assistant; 1893, 457. South-eastern; 1888, 267. Assistant, 1891, 113; 1894, 297. (See 1888, 267 § 2.) Suffolk; 1887, 160. First assistant; 1892, 233. Second assistant; 1887, 160. Clerk; 1889, 238. (See 1882, 245 § 2; 1887, 160.) Western; 1887, 97.

Salaries of all assistants are to be paid out of the treasury of the Commonwealth. St. 1895, 424.

SECT. 16. See St. 1888, 267 § 2; 1891, 113.

SECT. 19 is extended. St. 1893, 345. (See 1885, 379 § 7.)

Chapter 18.—Of Notaries Public and Commissioners to administer Oaths of Office and to take Acknowledgments of Deeds, etc.

Form of acknowledgment and execution of deeds, etc., established. St. 1894, 253; 1895, 460.

SECT. 1. Notaries have jurisdiction throughout and are appointed for the Commonwealth. St. 1891, 38.

Women may be appointed special commissioners to administer oaths, take acknowledgments and depositions and summon witnesses. St. 1883, 252; 1889, 197; 1896, 476. (See 1882, 139.)

SECT. 14. The oath may be taken before a United States minister or consul. St. 1885, 31.

Chapter 19.—Of the Board of Harbor and Land Commissioners.

The commissioners are authorized to remove wrecks and obstructions in tide-waters. St. 1883, 260. (See 1887, 98.)

United States government may occupy and fill flats on Gallop's island, and build structures over tide-waters. St. 1889, 27 § 2.

SECT. 1. Salaries fixed. St. 1893, 298.

SECT. 2. Custody of archives of Maine lands transferred to the secretary of the Commonwealth. St. 1883, 99.

SECT. 3 not to apply to certain province lands. St. 1893, 470 § 4. (See 1886, 144.) The commissioners have general care and supervision of the Connecticut river and of structures therein. St. 1885, 344; 1891, 266. (See 1882, 274; 1883, 183.) Building restricted in the river. St. 1893, 301.

They have the same charge of Commonwealth lands, not otherwise provided for, that they have of lands in tide-waters. St. 1886, 144. (See 1888, 318; 1893, 470.)

SECT. 7. Regulations are established for Gloucester harbor; St. 1885, 315; 1895, 106. Harbor lines are established for Boston; St. 1892, 358 § 2. East Boston; 1882, 48. South bay, Boston; 1891, 309. Chelsea; 1887, 344. Gloucester; 1882, 103; 1883, 109; 1895, 106 § 2. Haverhill; 1883, 104. (See 1891, 344; 1893, 435.)

SECT. 8 *et seq.* The board has supervision over great ponds and may license structures therein. St. 1888, 318. (See 1886, 248.) A license is required to dam a navigable stream or outlet of a great pond for cranberry culture. St. 1892, 55.

SECTS. 8, 10, 11, 12 apply to the Connecticut river. St. 1885, 344 §§ 2, 3; 1891, 266.

SECTS. 10-13, 16 apply to great ponds. St. 1888, 318 § 5.

Chapter 20. — Of the State Board of Agriculture.

An agricultural experiment station is established, and membership and duties of board of control prescribed. St. 1882, 212; 1883, 105; 1885, 327; 1887, 31, 212; 1888, 333; 1889, 111; 1894, 143; 1895, 57; 1896, 254. (See 1888, 296; 1895, 421; 1896, 297.)

A dairy bureau is established, to consist of three members of the board of agriculture. St. 1891, 412; 1892, 139. (See 1894, 280; 1895, 212.)

Provision is made for registration of pedigrees of horses. St. 1890, 334. And for punishing false registration or giving false pedigrees of horses, cattle, etc. St. 1887, 143; 1890, 334.

The agricultural college may receive moneys granted by the United States. St. 1889, 111. (See 1887, 212.)

The trustees of the college are allowed certain expenses. St. 1889, 45.

Provision is made for a bounty for sugar from beets or sorghum cane. St. 1883, 189. And for bounties to chartered poultry associations. St. 1895, 351.

SECT. 1. Membership of board changed. St. 1894, 144.

SECT. 2 amended. St. 1896, 254.

SECT. 4. Assistant secretary provided for. St. 1891, 412 § 6. Salaries fixed: Secretary; St. 1883, 184. Assistant; St. 1891, 412 § 6. Clerks; St. 1891, 300; 1892, 143; 1893, 130. (See 1887, 245.)

Allowance for clerical services and for lectures increased. St. 1884, 66.

SECTS. 5, 6. The board is authorized to collect and circulate information about abandoned farms. St. 1891, 280. (See Res. 1893, 46.)

And to take measures to exterminate the "gypsy" moth. St. 1891, 210. (See 1890, 95. Res. 1893, 40.) Provision is made for extermination of insect pests by cities and towns. St. 1893, 78.

SECT. 8 amended. St. 1894, 101.

Chapter 21. -- General Provisions relating to State Officers.

A civil service commission is established and appointments to service regulated. St. 1884, 320; 1887, 364, 437; 1888, 41, 253, 334; 1889, 177, 183, 351, 352, 473; 1891, 140; 1893, 95, 253; 1894, 267, 519; 1895, 376, 501; 1896, 449, 494, 502, 517. (See 1888, 41; 1895, 376; 1896, 86, 256, 424. Res. 1892, 34.)

Certain officers shall not accept railroad tickets at less than usual rates. St. 1892, 59.

Legislation recommended by State boards and commissions shall be reported to the secretary of the Commonwealth before the first Wednesday in January. St. 1893, 144.

Provision made for appointment of a State military and naval historian. St. 1889, 374; 1891, 235. (See Res. 1894, 14, 94; 1895, 62, 104; 1896, 80.) And for a compilation of records of State soldiers and sailors in the revolutionary war. Res. 1891, 100. And of the grand army of the republic. St. 1893, 411. (See St. 1893, 413. Res. 1893, 49.)

Legal services required by officers or boards shall be performed by or under direction of the attorney general. St. 1896, 490.

Standard record inks required. St. 1894, 378.

SECT. 1. Tenure of office of officers appointed by governor and council regulated. St. 1887, 364.

SECT. 7. Official bonds must be examined yearly, and, if insufficient, renewed. St. 1885, 32; 1893, 257.

SECT. 10. Treasurer's office hours regulated. St. 1886, 257; 1896, 522. Advancements on account of salaries authorized. St. 1895, 34.

Chapter 22. — Of Counties and County Commissioners.

SECT. 1. Muskeget and Gravelly islands annexed to Nantucket. St. 1887, 88.

SECT. 5. Counties to provide places for holding district and police courts. St. 1893, 396 § 1.

SECT. 13. When their clerk is absent, the commissioners shall appoint one of their number clerk *pro tempore*. St. 1890, 198. Proceedings regulated. *Pro tempore* clerk may be a woman and shall be sworn. St. 1896, 384.

SECT. 14. Compensation fixed: Barnstable; St. 1893, 276. Berkshire; St. 1890, 133. Bristol; 1893, 291. (See 1886, 251; 1889, 339.) Essex; 1892, 354. (See 1885, 277.) Franklin; 1888, 65. Hampden; 1889, 30. Hampshire; 1887, 211. Middlesex; 1889, 303. (See 1885, 277.) Norfolk; 1892, 399. (See 1885, 277; 1891, 80.) Plymouth; 1892, 298. (See 1886, 251.) Worcester; 1893, 288. (See 1886, 251; 1891, 79; 1892, 59; 1893, 275 § 1.) Transportation expenses are allowed. St. 1893, 273.

Special commissioners. St. 1894, 250; 1895, 112.

SECT. 15. Meetings changed in Berkshire. St. 1883, 63.

SECT. 17. Certain formal proceedings are authorized, notwithstanding disqualification. St. 1893, 238.

SECT. 18 repealed. St. 1893, 275 § 2.

SECT. 19. Oaths of treasurers and registers of deeds are to be recorded. St. 1890, 308.

SECT. 20. Commissioners may examine reservoirs and dams, and proceed under P. S., ch. 190 §§ 53-58. St. 1891, 315; 1893, 99.

Provision for additional accommodation for courts in Middlesex. St. 1893, 160; 1895, 492. And in Worcester. St. 1896, 350.

Provision made for certain expenses of inferior courts and justices. St. 1890, 440 § 11; 1891, 70, 325; 1893, 396 § 1. And for rearranging, indexing and recording certain records and dockets when worn, mutilated or indistinct. St. 1891, 225; 1892, 253.

Provision in regard to payment of county taxes. St. 1889, 253.

Orders drawn on county treasurers must be recorded, certified and accompanied by original vouchers. St. 1890, 206.

Proposals for county loans must be advertised for. St. 1895, 111. (See 1895, 143.)

SECT. 26 is limited to regular commissioners and made applicable to issuing orders of notice. St. 1885, 91.

Chapter 23. — Of County Treasurers and County Finances.

SECT. 1. Record shall be made of oath of treasurer. St. 1890, 308.

SECT. 2. Salaries fixed: Berkshire; St. 1889, 58. Bristol; 1889, 16. Essex; 1886, 133. Hampden; 1884, 112. Hampshire; 1887, 159. Middlesex; 1887, 57. Norfolk; 1892, 295. (See 1890, 143.) Plymouth; 1889, 260. Worcester; 1886, 132.

Allowance for clerical assistance: Bristol; St. 1892, 144. Essex; 1889, 310; 1896, 147. Middlesex; 1889, 85. Norfolk; 1895, 133. Worcester; 1893, 156; 1895, 113. And travelling expenses in certain counties. St. 1896, 176.

SECT. 6 *et seq.* County expenditures regulated. St. 1890, 206, 209, 296; 1896, 357. (See 1887, 438; 1890, 216, 380; 1893, 270; 1895, 482; 1896, 172.)

Proposals for county loans must be advertised for. St. 1895, 111. (See 1895, 143.)

No payments of fees to clerks of courts. St. 1890, 209.

SECTS. 11, 20, 30. Yearly reports of prison receipts and expenses provided for. St. 1891, 187; 1892, 430.

SECT. 22 is revised. St. 1895, 143; 1896, 128, 443. (See 1895, 482, 493 § 2; 1896, 172.)

SECT. 24 affected. St. 1889, 253.

SECT. 28. Treasurer's accounts and returns regulated. St. 1890, 141, 380. (See 1887, 438; 1888, 275; 1895, 482.)

SECT. 30. See St. 1891, 187; 1892, 430.

SECT. 32 repealed. St. 1890, 380 § 2.

SECTS. 36–39 repealed. Controller of county accounts established. St. 1887, 438; 1888, 275; 1890, 216, 380; 1893, 257, 270; 1894, 183; 1895, 143; 1896, 128. (See 1886, 169; 1890, 204; 1894, 248.) And deputies. St. 1890, 306; 1895, 175.

Chapter 24. — Of Registers of Deeds.

Salaries are established for registers and assistant registers. The fees are to be paid to the county. St. 1895, 493. (See 1887, 438.) Provision for assistant registers and clerical assistance. St. 1896, 172.

Standard record inks are required. St. 1894, 378.

SECT. 2. Copies of certain records in registry of northern district to be deposited in registry of southern district. St. 1890, 158; 1891, 174. New registry established in Bristol. St. 1891, 234.

SECT. 5. And in Worcester. St. 1884, 40.

SECT. 6. Record shall be made of oath of registers. St. 1890, 308.

SECT. 9. Women may be assistant registers. St. 1885, 7.

SECT. 12. Requirement of residence in place of registry repealed. St. 1892, 121.

SECTS. 13–26. Provision for recording office copies of instruments affecting titles to lands lying in more than one county or registry district. St. 1889, 448. And for re-recording worn or indistinct records. St. 1892, 253.

SECT. 22. Indexes, except in Suffolk, must show towns in which the lands lie. St. 1885, 29.

SECTS. 25, 26 amended. Registers substituted for commissioners. St. 1896, 443.

SECT. 29 repealed. St. 1895, 493 § 6.

SECTS. 30, 31, 33 repealed. St. 1896, 443. (See 1893, 148.)

Chapter 25.—Of Sheriffs.

SECT. 16. Sheriff may further arrest a person under arrest by a constable. St. 1896, 247.

SECT. 18. See St. 1893, 423, § 32.

SECT. 20 is extended to writs and processes in favor of a sheriff. St. 1885, 75.

SECT. 22. Salaries fixed: Barnstable; St. 1894, 153. Berkshire; St. 1887, 58. Essex; 1894, 415. (See 1887, 164.) Hampden; 1889, 38. Hampshire; 1891, 154. Middlesex; 1888, 95. Suffolk; 1888, 228. Worcester; 1888, 244.

In Dukes and Nantucket fees are allowed. St. 1884, 209; 1886, 28.

SECTS. 24, 25. Sheriffs must deposit public moneys beyond what are required for immediate use. St. 1890, 215. (See St. 1893, 148, 270 § 2.)

Chapter 26.—Of Medical Examiners.

SECT. 2. New district made in Franklin county; St. 1884, 321; and in Plymouth; 1886, 74.

SECT. 6 repealed. St. 1893, 257.

SECT. 9 *et seq.* Fees and duties of examiners regulated. St. 1885, 265 § 4, 379; 1887, 310; 1888, 306 § 2; 1890, 213; 1892, 286; 1896, 338.

When death is supposed to be due to violence, no embalming fluid shall be used without a permit signed by an examiner. St. 1892, 152.

SECTS. 12-15. Provision for verbatim reports of evidence at inquests in cases of death by accident on a railroad or street railway. St. 1896, 302. (See St. 1888, 365; 1889, 154; 1896, 338.)

SECTS. 14, 25. Fees of witnesses, etc., at inquests regulated. St. 1883, 61; 1885, 379 § 2; 1890, 440 § 9. (See 1888, 180.)

SECTS. 20, 24. Provision made for disposition of bodies and for account of expenses. St. 1887, 310.

SECT. 25. Special justices of municipal, police and district courts, with certain exceptions, are to have same fees as trial justices. St. 1885, 40. The record must state the fact which gives them jurisdiction. St. 1892, 268.

Chapter 27.—Of Towns and Town Officers.

Deposits of town moneys regulated. St. 1893, 266.

SECTS. 2-6. Provision for definition and preservation of town boundary lines. St. 1888, 336.

SECT. 9. Towns may lease public buildings, except school-houses, to grand army and veteran firemen's associations. St. 1885, 60; 1891, 218.

May take lands for public parks. St. 1882, 154; 1890, 240; 1893, 300. (See 1893, 75, 416; 1896, 199.) And for preservation of forest trees or

preservation of water supply. St. 1882, 255; 1896, 190. And for purification and disposal of sewage. St. 1890, 124. And for public libraries. St. 1894, 145.

May provide by by-law for making all drains and sewers main drains and common sewers. St. 1895, 227. (See 1896, 251 § 2.)

May lay out, alter and widen highways and county bridges. St. 1891, 170.

May adopt act providing for extermination of insect pests. St. 1893, 78.

May establish and maintain public play-grounds. St. 1893, 225. Certain towns may lease open spaces for play-grounds. St. 1893, 331. (See 1893, 300, 416.)

May regulate width of tires on vehicles owned in the town. St. 1895, 296.

May give the improvement of public grounds to corporations organized for the purpose. St. 1885, 157. (See 1893, 300 § 6, 331, 416.)

May manufacture and distribute gas and electricity on certain conditions. St. 1891, 370; 1892, 259; 1893, 454; 1894, 182, 533.

SECT. 10. Towns may contract for disposal of garbage, refuse and offal. St. 1889, 377.

May contract with hospitals for temporary care of the sick. St. 1890, 119. (See 1891, 90.)

May employ counsel at hearings before legislative committees. St. 1889, 380.

May pay interest on public gifts in certain cases. St. 1895, 217.

May raise money to erect, dedicate and repair monuments to soldiers and sailors in national wars. St. 1884, 42; 1886, 76; 1896, 291. And to firemen fatally injured in performance of their duties. St. 1896, 455. And to mark spots of historic interest. St. 1896, 477.

May furnish State and military aid to soldiers and sailors. St. 1889, 279, 301. Shall support certain soldiers and sailors and their families. St. 1890, 447; 1893, 237, 279. (See 1888, 438; 1889, 298.)

SECT. 10, last clause. See St. 1888, 304; 1889, 312; 1890, 347; 1892, 255.

Provision for furnishing towns with steam rollers for construction of macadamized roads, upon certain conditions. St. 1896, 513. (See 1894, 497; 1895, 347, 486.)

Certain towns may water streets and assess cost thereof on the abutters. St. 1895, 186.

SECT. 11. Towns may appropriate money for certain anniversary celebrations. St. 1889, 21; 1892, 166. And July fourth. St. 1896, 152.

SECT. 12. May raise fifty cents per poll for planting, etc., of shade trees. St. 1885, 123 § 1. (See 1890, 196; 1891, 49; 1892, 147; 1893, 78, 403.)

SECT. 15 *et seq.* Regulations for use of carriages, etc., in streets under P. S., ch. 28 § 25, shall be made by selectmen in towns and published. St. 1885, 197. (See 1894, 479; 1895, 296.) And to regulate and control itinerant musicians and coasting. St. 1892, 390.

SECT. 27. Towns having a water supply may contribute with other towns to construct a sewerage system to protect the purity of such supply. St. 1888, 160.

SECT. 34. No fee for detention and support shall be allowed unless it appears by officer's return that defendant was actually detained in the lock-up. St. 1890, 166.

SECT. 41 extended to public library buildings. St. 1894, 145.

SECTS. 44-49 are extended to all persons and corporations, and to electric light and telephone wires. St. 1883, 221; 1887, 385 § 8; 1889, 398, 434; 1895, 350. (See 1884, 302, 306; 1887, 382.)

SECTS. 48, 129. Superior court given concurrent jurisdiction. St. 1891, 293.

SECT. 52. See St. 1887, 249; 1890, 423 § 208; 1892, 351 § 2; 1893, 417 § 13.

SECTS. 52-69. The laws relating to town meetings, moderators and election of town officers are revised. St. 1893, 417 §§ 259-294; 1894, 16, 132; 1895, 89, 285. (See 1883, 229; 1884, 208 § 4, 299; 1885, 5, 261; 1886, 262, 264, 295; 1887, 249, 371; 1888, 221, 353; 1889, 191; 1890, 351, 419, 423 §§ 208-227; 1891, 10, 31, 32, 74, 155, 270, 305, 336; 1892, 51, 190, 224; 1893, 87, 177; 1896, 251 § 2.)

Voting precincts provided for. St. 1893, 417 § 101; 1894, 132. (See 1886, 264; 1890, 423 § 72; 1893, 465; 1896, 498.)

SECT. 55. See St. 1888, 436 § 10; 1890, 386 § 3; 1892, 124; 1893, 417 §§ 260, 345.

SECTS. 64, 66-68, 70, 73, 74, 77-81, 83, 84, 86, 87, 89-91, 93, 94, 97, 98 are repealed. St. 1893, 417 § 345. (See 1894, 16, 132.)

SECTS. 71, 72, 75, 76, 82, 85, 88, 92, 95, 96, 99-128 are repealed, and laws as to powers and duties of town officers revised. St. 1893, 423. (See 1886, 295; 1888, 221; 1889, 98, 178; 1893, 60.)

Women may be chosen overseers of the poor. St. 1886, 150. Or assistant town or city clerk. St. 1895, 142.

Provision for town auditors. St. 1893, 417 § 266; 423 § 20. (See 1886, 295; 1888, 221; 1889, 191; 1890, 254.) Sewer commissioners. St. 1893, 304, 417 § 266. (See 1893, 423 § 24.) Superintendents of streets. St. 1893, 423 § 25. (See 1889, 98, 178.) Highway surveyors. St. 1893, 374. (See 1893, 417 § 266, 423 § 21; 1894, 17.) Boards of health. St. 1894, 218, 473; 1895, 398, 508. (See 1885, 307.) Commissioners of public burial grounds. St. 1890, 264. Assistant town clerks. St. 1893, 423 § 4. (See 1893, 60; 1895, 142.) Tree wardens. 1896, 190.

Town officers shall demand and receive from their predecessors, under oath, their official records, papers, etc. St. 1891, 340.

SECT. 85. Police officers may be assigned to agricultural and horticultural exhibitions. St. 1892, 180. Provision for street railway police. St. 1895, 318. (See 1896, 338.)

Special officers for emergencies must be residents of the Commonwealth. St. 1892, 413.

SECT. 95 *et seq.* Town clerks shall give bonds to account for moneys received for dog licenses. St. 1888, 320. (See 1888, 308.)

Shall make returns of votes on acceptance of acts by the town. St. 1883, 100. (See 1890, 175, 423 § 155; 1893, 417 § 203; 1894, 132.)

Shall notify commissioners of prisons of appointment of certain police officers and constables. St. 1892, 290.

SECTS. 102-104. Form of oath modified. Provision to punish fraud in valuations. St. 1885, 355; 1893, 423 § 10.

SECT. 112 *et seq.* Town clerks shall return names of constables to clerks of county courts within seven days after they qualify. St. 1889, 384.

SECT. 129. Superior court given concurrent jurisdiction. St. 1891, 293.

SECT. 130 applies to St. 1893, 423 § 41.

Chapter 28. — Of Cities.

General provision is made for the establishment of city governments. St. 1892, 377.

Words "mayor and aldermen" defined. St. 1882, 164.

Provision made for acting mayor in case of death, absence, etc., of mayor. St. 1896, 380. (See 1882, 182.)

Deposits of city moneys regulated. 1893, 266.

City officers shall demand and receive from their predecessors, under oath, their official records, papers, etc. St. 1891, 340.

City clerks shall notify secretary of the Commonwealth of vote on acts to take effect on acceptance. St. 1883, 100.

And of changes in wards and polling places. St. 1893, 417 § 105. (See 1884, 279 § 4; 1886, 78; 1888, 437; 1890, 423 § 71; 1896, 244.)

And send him attested copies of records of votes for State officers. St. 1893, 417 § 179. (See 1890, 175, 423 § 155.)

They must return to clerks of courts names of constables elected or appointed. St. 1889, 384.

And must notify prison commissioners of appointment of certain police officers and constables. St. 1892, 290.

Cities may lay out lands for public parks. St. 1882, 154; 1890, 240; 1893, 300. (See 1893, 75, 416; 1896, 199.) And for preservation of forests or preservation of water supply. St. 1882, 255. May designate and preserve shade trees. St. 1890, 196. May establish and maintain public play-grounds. St. 1893, 225. And lease open spaces for play-grounds. St. 1893, 331. (See 1885, 157; 1893, 300 § 6.)

May lease public buildings, except school-houses, to grand army or veteran firemen's associations. St. 1885, 60; 1891, 218.

May appropriate money for enforcement of civil service laws. St. 1887, 345. And for certain anniversary celebrations. St. 1892, 166. And for repairing or decorating graves or memorials of firemen killed in performance of duty. St. 1896, 455.

May indemnify police officers for injuries or expenses incurred while acting as such. St. 1888, 379. And persons required to assist them. St. 1893, 186.

May pay interest on public gifts in certain cases. St. 1895, 217.

May, by ordinance, require all fees, charges and commissions allowed to officials to be paid into the treasury. St. 1888, 308. Regulate sale of prepared wood, slabs and edging. St. 1891, 136. And width of tires on vehicles owned in the city. St. 1895, 296. Provide for inspection of ice sold within the city. St. 1895, 338. For making all drains and sewers main drains and common sewers. St. 1895, 227. (See 1896, 251.)

May contract for disposal of garbage, refuse, etc. St. 1889, 377.

May adopt the act requiring appropriations for exterminating insect pests. St. 1893, 78.

May furnish military or State aid to soldiers and sailors. St. 1889, 279, 301. May contract with hospitals for temporary care of the sick. St. 1890, 119. (See 1891, 90.) Shall support certain soldiers and sailors and their families. St. 1890, 447; 1893, 237, 279. (See 1888, 438; 1889, 298.) Shall provide for treatment of indigent persons suffering from contagious or infectious venereal diseases. St. 1895, 400. (See 1894, 511.)

May expend money for watering streets and assess the whole or part of the expense on abutters. St. 1891, 179. (See 1890, 365.)

May take land for purification and disposal of sewage. St. 1890, 124.

May manufacture and distribute gas and electricity on certain conditions. St. 1891, 370; 1892, 259; 1893, 454; 1894, 182, 432, 448, 533.

Cities having a water supply may contribute with other cities and towns to construct a sewerage system to protect purity of supply. St. 1888, 160.

Tenure of police officers established in certain cities. St. 1890, 319.

Members of the police may be pensioned in cities containing not less than seventy-five thousand inhabitants. St. 1892, 378. (See 1892, 353; 1893, 51.)

Provision for street railway police. St. 1895, 318. And a reserve police in certain cities. St. 1896, 314.

Police matrons and houses for detention of women are required in certain cities. St. 1887, 234; 1888, 181.

Board of police for city of Boston to be appointed by the governor. St. 1885, 323; 1889, 419; 1894, 266. (See 1896, 338.)

SECT. 6. Any item in an ordinance or vote involving an appropriation of money, or raising a tax, may be separately vetoed. St. 1885, 312 § 3.

SECT. 7. Mayor may not vote in board of aldermen or joint convention. St. 1882, 180.

SECT. 11. Police officers may be assigned to agricultural or horticultural exhibitions. St. 1892, 180.

SECTS. 14-16. New division of wards in cities provided for. St. 1893, 417 § 96. (See 1884, 125, 181 § 9, 299 § 3; 1885, 156; 1886, 78, 283; 1888, 437.) Voting precincts. See St. 1893, 417 §§ 97, 98; 1896, 244.

SECT. 19. See St. 1885, 159 § 3.

SECT. 23. No member of a city council is eligible by the city council or either branch thereof to any office the salary of which is paid from the city treasury. St. 1886, 117.

SECT. 25. Selectmen in towns may make these rules, etc. St. 1885, 197. (See 1894, 479; 1895, 296.) And to regulate and control street musicians and coasting. St. 1892, 390.

Chapter 29. — Of Municipal Indebtedness.

“Net indebtedness” is defined. St. 1883, 127.

SECT. 4. The limit of the city debts is reduced. St. 1885, 312. (See 1885, 178; 1892, 178; 1893, 23, 225 § 3, 247.)

Exception made in certain cases. St. 1886, 178, 254, 304; 1887, 312; 1888, 73, 144, 185, 229, 392; 1889, 68, 157, 172, 176, 283 § 4; 1890, 65,

120, 121, 135, 142, 203, 258, 271, 355, 357 § 10, 424, 444; 1891, 27, 150, 212, 230, 301, 316, 323, 324; 1892, 42, 45, 150, 153, 155, 247, 367; 1893, 37, 52, 101, 110, 128, 141, 167, 233, 245, 250, 269, 341, 449, 489 § 20; 1894, 85, 89, 92, 99, 177, 201, 208, 210, 212, 234, 244, 286, 293, 310, 323, 339, 340, 344, 346, 396, 403, 405; 1895, 36, 47, 74, 85, 98, 99, 130, 150, 151 § 5, 221, 241, 274, 325, 331, 333, 346, 357, 386, 395, 417, 433, 455; 1896, 103, 134, 142, 168, 181, 197, 200, 201, 207, 227, 233, 245, 271, 325, 392, 395, 419, 478, 479.

Damages for alteration of grade crossings are excepted. St. 1892, 178.

SECT. 6. Temporary loans in anticipation of taxes are limited. St. 1885, 312 § 4; 1889, 372.

They must be payable within one year. St. 1891, 221. They shall not be considered in determining the limit of indebtedness. St. 1893, 23.

SECTS. 7, 8. Issuing bonds, notes or scrip for city or town debts is authorized. St. 1884, 129; 1892, 245 § 7; 1896, 269. (See 1889, 166; 1891, 321; 1896, 163.)

SECT. 8 amended. Word "thirty" substituted for "twenty" in fourth line. St. 1892, 245 § 6. (See 1893, 225 § 3.)

Time for payment of "other debts" extended in certain cases. St. 1889, 166; 1891, 321; 1894, 421.

SECT. 9. Fixed annual appropriations may be made as a substitute for a sinking fund. St. 1882, 133.

SECT. 11 is extended. St. 1894, 146. Provision for reissue of bonds not due held in sinking funds for payment of bonds becoming due. St. 1895, 243.

Sinking funds for sewer debts regulated. St. 1892, 245 § 9.

SECT. 15. Management of surplus accumulations of State sinking funds regulated. St. 1891, 259.

Chapter 30.—Of Aid to Soldiers and Sailors and to their Families.

This chapter is repealed, and the law as to State and military aid revised and extended. St. 1890, 447; 1893, 237; 1894, 279, 301. (See 1884, 34; 1885, 173, 204, 214; 1886, 39, 110; 1887, 122; 1888, 438; 1889, 279, 298, 301; 1892, 291. Res. 1892, 84.)

Cities and towns must furnish relief to certain soldiers and sailors and their families. St. 1890, 447; 1893, 237. (See 1888, 438; 1889, 298.)

Provision is made for burial of deceased indigent soldiers, sailors and marines, and their wives and widows. St. 1896, 279. (See 1889, 395; 1892, 184; 1894, 62.)

Grand army posts may distribute aid to soldiers. St. 1885, 189.

An agent for settlement of pension, bounty and back pay claims provided for. St. 1888, 396; 1891, 196.

Appointment of State trustees for the soldiers' home provided for. St. 1889, 282. (See 1890, 373.)

SECT. 1. Salary of third commissioner fixed. St. 1894, 279 § 9. (See 1885, 214; 1889, 279 § 9; 1892, 291.)

Chapter 31. — Of the Census, the Bureau of Statistics of Labor and the Board of Supervisors of Statistics.

Decennial census provided for. St. 1894, 224. (See 1884, 181.)

Special enumeration provided for in certain cases. St. 1892, 280; 1894, 334; 1896, 440.

Certain useless papers may be burned. St. 1887, 43.

SECTS. 1-12 are revised. St. 1894, 224. (See 1884, 181.)

SECTS. 13-16. Additional statistics are required. St. 1886, 174; 1894, 332. (See 1884, 181; 1885, 156; 1888, 437 § 6; 1892, 280; 1896, 440.)
The report of the board may be in parts. St. 1890, 97. (See 1894, 393 § 7.)

Publication of a bulletin authorized. St. 1895, 290.

A second clerk is provided for. St. 1884, 4.

Clerks' salaries fixed. St. 1888, 115. (See 1884, 4.)

SECT. 17 is amended. St. 1886, 101 § 4.

Chapter 32. — Of the Registry and Return of Births, Marriages and Deaths.

Standard record inks are required. St. 1894, 378.

SECT. 1. Provision made for further particulars in records of deaths. St. 1887, 202; 1890, 402. (See 1889, 208.)

Depositions may be filed to complete or correct records and new copies made. Penalty imposed for false return. St. 1892, 305; 1894, 402.

Returns of births and deaths of residents of other towns to be made to and recorded in such towns. St. 1889, 208.

SECTS. 1, 2. See St. 1894, 206, 401, 409.

SECT. 3 is revised and further statements required in certain cases. St. 1888, 63, 306; 1889, 224; 1893, 263.

SECT. 4. Returns of sextons and undertakers shall be preserved and arranged for reference. St. 1887, 202.

SECTS. 5, 6. Additional requirements for removal, transportation and burial of bodies. St. 1883, 124; 1887, 335; 1888, 306; 1893, 263 § 2.

SECT. 7. Additional facts to be reported. St. 1883, 158. The words "except Boston" are stricken out. St. 1889, 288.

SECT. 10 amended. St. 1894, 206. (See 1894, 401, 409.)

SECTS. 11, 14-17. Special provisions for Boston. St. 1892, 314; 1894, 206.

Chapter 33. — Of Workhouses and Almshouses.

No person whose insanity has continued less than twelve months may be detained in an almshouse without remedial treatment. St. 1890, 414 § 2. (See 1886, 319, § 3.)

Chapter 35. — Of Fires, Fire Departments and Fire Districts.

Provision for allowance to families of firemen fatally injured at fires. St. 1893, 401.

Office and duties of State fire marshal established. St. 1894, 444; 1895, 452; 1896, 303. (See 1886, 354; 1887, 231.)

Pensions provided for in Boston. St. 1892, 347. (See 1880, 107; 1888, 174; 1896, 256.) Persons five feet five inches in height may be appointed to Boston fire department. St. 1896, 424.

Assistance for the Massachusetts State firemen's association provided for. St. 1890, 450; 1891, 274; 1892, 177; 1894, 375. (See 1893, 401.)

SECT. 1. Forest fire-wards are provided for. St. 1886, 296 §§ 2, 3.

SECTS. 10, 11 were repealed by St. 1888, 199, which was repealed by St. 1889, 451 § 8. (See 1886, 296 § 4; 1887, 214 § 16; 1891, 229.)

SECT. 28. Additional apparatus required. St. 1888, 310.

Board of fire engineers, or chief of fire department, shall investigate origin, etc., of fires. St. 1889, 451; 1891, 229.

SECT. 29. Selectmen may remove engineers after notice and hearing. St. 1886, 113.

SECT. 35. Penalties prescribed for violations of rules. St. 1888, 220.

SECT. 40. Fire districts may incur debts for temporary loans in anticipation of taxes. St. 1896, 280.

SECT. 51. Hydrant and water service added. St. 1895, 295.

Chapter 36.—Of Fences and Fence Viewers, Pounds and Field Drivers.

SECTS. 1-19. Fences and like structures over six feet in height, maliciously erected, etc., are declared nuisances. St. 1887, 348.

Barbed wire fences are restricted. St. 1884, 272.

Chapter 37.—Of the Public Records.

A commissioner of public records is established, his duties prescribed and salary fixed. St. 1892, 333.

An act to prevent the destruction of public records. St. 1894, 356.

Provision for arranging and recording certain worn or indistinct records, etc. St. 1891, 225; 1892, 253.

Standard record inks are required. St. 1894, 378.

SECT. 1 is revised and quality of paper regulated. St. 1891, 281.

SECT. 3. Provision for additional accommodations. St. 1886, 207.

SECT. 5. Records of death may also be copied. St. 1887, 202.

SECTS. 5-7. Indexes of records are to be kept. St. 1885, 190.

SECTS. 14, 15. In Boston, city registrar shall perform duties of city or town clerk under these sections. St. 1892, 314 § 3.

SECT. 15. City or town clerk shall demand the records if not delivered. St. 1890, 227.

SECT. 16. Removal or mutilation of records of the Commonwealth is forbidden. St. 1890, 392.

The public records, books, papers and property of a city or town officer are to be demanded by, and delivered under oath to, his successor. St. 1891, 340.

Chapter 38.—Of Parishes and Religious Societies.

Provision is made for the incorporation and government of, and conveyance of property to, churches. St. 1887, 404; 1888, 326; 1891, 265; 1895, 105. (See 1884, 78; 1894, 126.)

Incorporated religious societies may make by-laws. St. 1888, 326.

SECT. 8. Term of office of committee or assessors regulated. St. 1894, 126.

SECTS. 18, 19. Religious societies shall not assess taxes except upon their pews. St. 1887, 419.

SECT. 21 is repealed. St. 1887, 419.

SECT. 43 is extended. St. 1886, 239.

Chapter 39.—Of Donations, and Conveyances for Pious and Charitable Uses.

SECT. 1. Churches may appoint trustees, who shall be a body corporate for the purposes of this section. St. 1884, 78. (See 1887, 404 ; 1891, 265.)

Real estate held by deacons may be conveyed to the church, if incorporated. St. 1887, 404 § 7.

Chapter 40.—Of Library Associations.

SECT. 6. Allowance made to county law libraries. St. 1882, 246.

SECT. 9 *et seq.* The election, powers and duties of trustees of free public libraries and reading rooms are regulated. St. 1888, 304 ; 1889, 112.

A board of library commissioners is provided for. St. 1890, 347. They are authorized to aid free libraries in certain towns. St. 1892, 255.

Chapter 41.—Of the Board of Education.

SECT. 8. Salary of the secretary of the board fixed. St. 1894, 176. (See 1885, 227.) Clerical and messenger service provided for. St. 1895, 132.

No agent of the board shall be pecuniarily interested in publication or sale of school-books or supplies. St. 1896, 429.

SECTS. 8, 11. See St. 1893, 86 § 2.

SECT. 12. The board has the management of the State normal school boarding-houses. St. 1891, 384. (See 1894, 457 ; 1895, 258 ; 1896, 133.) And the supervision of the pupils in the Perkins institution and Massachusetts school for the blind. St. 1885, 118. It may establish an educational museum. St. 1894, 230. Shall provide for examination and certification of teachers. St. 1894, 329.

SECTS. 16, 17. The provisions for the instruction of deaf-mutes and deaf children are revised and extended. St. 1888, 239 ; 1889, 226. (See 1886, 241 ; 1887, 179.)

Chapter 42.—Of Teachers' Institutes and Associations.

SECT. 1. Twenty-five teachers in three contiguous towns may form an institute. St. 1896, 186.

Chapter 43.—Of the School Funds.

SECTS. 1, 2. Certain payments into the fund are provided for. St. 1890, 335. Res. 1894, 90.

SECT. 3 is repealed. St. 1884, 22. The distribution of the income is revised. St. 1891, 177 ; 1893, 272. (See 1885, 227.)

Chapter 44. — Of the Public Schools.

No foreign flag or emblem may be displayed on a public school-house. St. 1895, 115. (See 1895, 181.)

Provision is made for a State nautical training school. St. 1891, 402; 1893, 124. And for textile schools in certain cities. St. 1895, 475.

Free scholarships in the Massachusetts institute of technology are provided for. Res. 1887, 103; Res. 1895, 70. St. 1896, 310. And in Worcester polytechnic institute. St. 1896, 407.

School committees of cities and towns maintaining free evening schools may provide free evening lectures. St. 1893, 208.

They shall furnish public schools with a national flag. St. 1895, 181. (See 1895, 115.)

Pretending in writing to hold a degree of a college or school, granting degrees without authority, and false assertions in writing of the approval by a college or professional school of a person, process or goods, are made criminal offences. St. 1893, 355.

SECT. 1. The use of tools and cooking may be taught. St. 1894, 320. (See 1884, 69.) Physiology and hygiene must be taught. St. 1885, 332. And manual training in certain cities. St. 1894, 471. Vivisection is forbidden and dissection restricted in public schools. St. 1894, 151.

SECTS. 1, 2. Evening schools and evening high schools are required in certain places. St. 1883, 174; 1886, 236. Notice of their opening must be given. St. 1887, 433 § 4. (See 1893, 208.)

A town not required to maintain a high school shall pay for the tuition and transportation of its children attending a high school in another town or city. St. 1894, 436. (See 1891, 263; 1895, 212; 1896, 382.) And may pay for such tuition at an academy of equal grade in the same town. St. 1895, 94.

Small towns may be assisted from income of school fund to pay salaries of teachers of exceptional ability. St. 1896, 408.

Schools shall be kept for at least eight months a year in towns of 4,000 or more inhabitants. St. 1894, 231.

The last session prior to Memorial day shall be devoted to exercises of a patriotic nature. St. 1890, 111.

SECT. 26. Number of committee may be changed at a special meeting in towns in which ballots for town officers are furnished by the town. St. 1896, 319.

SECT. 28. Diploma of a State normal school may be accepted in lieu of a personal examination of a teacher. St. 1891, 159.

Additional normal schools and model and practice schools in connection therewith are provided for. St. 1894, 457; 1895, 258. (See 1896, 33.) Provision for examination and certification of teachers by the board of education. St. 1894, 329.

Teachers, after a year's service, may be appointed to serve during the pleasure of the committee. St. 1886, 313.

SECTS. 35-40 are repealed. Text-books, supplies, etc., are furnished free. St. 1884, 103; 1885, 161. (See 1884, 69; 1885, 67.)

SECTS. 41-46. The district system is abolished. St. 1882, 219. (See 1884, 122.)

SECTS. 44, 45. Provision to aid small towns to unite to employ a superintendent. St. 1888, 431; 1893, 200; 1894, 58. (See 1890, 379; 1891, 272; 1892, 301, 344, 360; 1896, 408.)

Chapter 45. — Of School Districts.

The school district system is abolished. St. 1882, 219. But the right to sue or defend for districts is reserved. St. 1884, 122.

Chapter 46. — Of School Registers and Returns.

SECT. 3. See St. 1888, 348 § 7.

SECT. 5. Item for transportation of children to be included. St. 1896, 179.

SECT. 15. The time for which payment is to cease is limited. St. 1891, 99.

Chapter 47. — Of the Attendance of Children in Schools.

This chapter is repealed, and the laws relating to school attendance and truancy are revised. St. 1894, 498. (See 1883, 174 § 3, 245; 1885, 71, 198; 1887, 433; 1888, 348; 1889, 135, 249, 422, 464; 1890, 48, 299, 309, 384; 1891, 317, 361, 426; 1892, 62; 1893, 253; 1894, 188; 1896, 360.)

SECT. 9. Additional provisions to prevent introduction of contagious diseases into schools. St. 1884, 98; 1890, 102. (See 1884, 64.)

Exemption from vaccination allowed in certain cases. St. 1894, 515 § 2.

Chapter 48. — Of the Employment of Children and Regulations respecting Them.

The laws relating to the employment of children are revised. St. 1894, 508; 1896, 288. (See 1882, 150; 1883, 157, 224; 1884, 275; 1885, 222, 305; 1885, 87; 1887, 103, 121, 173, 215, 218, 280, 330, 399, 422, 433; 1888, 149, 305, 348; 1889, 135, 229, 291; 1890, 48, 90, 183, 299; 1891, 239, 317, 350; 1892, 83, 210, 296, 330, 352, 357, 410; 1894, 498.)

Children under ten shall not be permitted to enter street cars to sell newspapers, etc. St. 1889, 229.

SECTS. 8, 9 are repealed. St. 1894, 508 § 80. (See 1885, 305.)

Admission of children under thirteen to certain shows and places of amusement is restricted. St. 1887, 446.

Illegal peddling and begging by children are prohibited. St. 1887, 422. (See 1885, 305; 1892, 331.)

SECTS. 11-21 are repealed and the truant laws revised. St. 1894, 498. (See 1890, 309; 1891, 426; 1892, 62; 1896, 360.)

SECTS. 18-27. Further provisions made for care, education and protection of neglected, destitute and abandoned children. St. 1882, 181, 270; 1883, 232; 1885, 176; 1886, 330; 1887, 401; 1888, 248; 1889, 230, 309; 1891, 194; 1892, 318; 1893, 197, 217, 252, 262; 1896, 288, 382. (See 1884, 210; 1886, 101; 1887, 441; 1889, 416; 1894, 508.)

SECT. 19 is amended. St. 1883, 245.

SECT. 22 *et seq.* Provisions regulating infant boarding-houses and adoptions. St. 1889, 309, 416; 1891, 194; 1892, 318. (See 1882, 270 § 3; 1889, 416.)

Chapter 49.—Of the Laying Out and Discontinuance of Ways, and of Damages Occasioned by the Taking of Land for Public Use.

A commission for improvement of public roads and construction of State highways is provided for. St. 1893, 476; 1894, 497; 1896, 345, 481, 541. (See 1892, 338.) They may furnish steam rollers to towns for construction of roads on certain conditions. St. 1896, 513. (See 1895, 347, 486.)

A metropolitan park commission is established. St. 1893, 407; 1895, 450. They are authorized to lay out roadways and boulevards connected with parks. St. 1894, 288. (See 1896, 472.) And to join with a city or town to lay out, widen, etc., streets in certain cases. St. 1896, 465. (See 1894, 393, 483, 509; 1895, 272, 283; 1896, 199, 466, 550.)

Park commissioners are given certain powers in regard to highways, connected with public parks. St. 1893, 300; 1896, 313.

SECTS. 1, 10, 13. Towns may alter, etc., but not discontinue, county highways or bridges within their limits. St. 1891, 170.

Land may be taken for public parks. St. 1882, 154; 1890, 240. (See 1893, 225, 300, 331; 1896, 199.)

For the cultivation or preservation of trees. St. 1882, 255. (See 1896, 190.)

And for the purification and disposal of sewage. St. 1890, 124.

Sewer and water pipes may be laid in ways before taking possession for construction. St. 1893, 65.

Spaces may be reserved in ways for certain special uses. St. 1894, 324.

SECTS. 6, 14 *et seq.* County commissioners may lay out, etc., highways under the betterment law, where accepted. St. 1887, 124. (See 1884, 226.)

They may determine locations of public landing places. St. 1882, 109.

SECT. 18. New provision made in regard to payment of damages. St. 1883, 253.

SECTS. 33, 79, 86, 91 revised and extended. Time for application for a jury more particularly defined. St. 1892, 415.

SECT. 47. Officers' *per diem* for attendance fixed. St. 1882, 96.

SECTS. 84–86 are revised and methods of locating, laying out and constructing ways in Boston regulated. St. 1888, 397; 1891, 323; 1892, 401, 415 § 3, 418; 1895, 494; 1896, 237. (See 1893, 339, 478; 1894, 439; 1895, 334, 449 § 23; 1896, 204, 209, 492.)

SECT. 88. Provision for extending limit of time by agreement. St. 1893, 82.

SECT. 91. Application for jury may be brought within the time specified in section 33, notwithstanding the charter. St. 1892, 415 § 4.

SECT. 105. Petition for damages for land taken by a town in Dukes or Nantucket may be brought in Bristol county. St. 1887, 50. (See 1885, 384 § 1.)

SECT. 107. Auditors may be appointed in the discretion of the court. St. 1894, 175.

Chapter 50.—Of Sewers, Drains and Sidewalks.

A metropolitan system of sewerage is provided for. St. 1889, 439; 1895, 406. (See 1890, 94, 270; 1891, 192; 1892, 68, 251; 1894, 307; 1895, 294.)

SECT. 1. Cities and towns may take land for the purification and disposal of sewage. St. 1890, 124. (See 1888, 160.)

SECTs. 1, 3–8. Construction of, and assessments for, sewers regulated. St. 1891, 97; 1892, 245; 1893, 65, 380; 1895, 117, 127, 227; 1896, 236, 251. In Boston. St. 1892, 402; 1894, 227, 256; 1895, 297, 494; 1896, 237, 359. (See 1886, 210; 1889, 456; 1890, 346; 1893, 304, 417 § 266; 1896, 238, 243.)

Provision made for enforcing connection with public sewers. St. 1889, 108; 1890, 132. (See 1892, 245 § 4.) And repair of private drains in streets. St. 1893, 312. Cities and towns may provide for making all drains and sewers main drains and common sewers. St. 1895, 227.

SECTs. 5, 7. Land sold may be redeemed as if sold for taxes. St. 1883, 145. The lien shall continue two years. St. 1886, 210; 1896, 236. (See 1884, 237; 1891, 97; 1892, 245 § 1.) Real estate assessed, defined. St. 1894, 528.

SECT. 20. Construction of and assessments for sidewalks in cities regulated. St. 1895, 444; 1896, 251. (See 1891, 323; 1892, 401, 418; 1893, 437; 1894, 82; 1895, 297, 494; 1896, 158, 345.)

SECT. 21. Barbed wire fences are restricted. St. 1884, 272.

SECT. 25. In cities which accept the act assessments may be apportioned into not more than ten annual instalments. St. 1891, 97; 1893, 380. (See St. 1892, 245 § 8; 1896, 158.)

Chapter 51.—Of Betterments and other Assessments on Account of the Cost of Public Improvements.

This chapter applies to alterations of ways at railroad crossings. St. 1884, 280. And to laying out public parks. St. 1882, 154 § 7. (See 1893, 300 § 2.)

The authorities may agree to assume betterments if land owners will release damages. St. 1884, 226.

SECTs. 1–8. Extended to ways laid out by Metropolitan Park Commission. St. 1894, 288 § 2.

SECTs. 1–9. Extended to alterations, etc., of highways by towns. St. 1891, 170 § 3.

Provision for appointment of assessments. St. 1896, 158.

Assessments bear interest after thirty days and the lien continues for one year after determination of any suit to test their validity. St. 1884, 237. (See 1886, 210.)

SECT. 11. Notice of assessment of betterment must be given within three months to party to be charged. St. 1885, 299.

County commissioners may lay out, etc., highways under the betterment act, where accepted. St. 1887, 124. (See 1884, 226.)

Chapter 52. — Of the Repair of Ways and Bridges.

SECT. 1 extended. St. 1896, 345 § 2. (See 1893, 476; 1894, 497 §§ 6, 7.)

SECT. 10, as to trimming, etc., of trees, is revised. St. 1885, 123 § 2. (See 1890, 196; 1891, 49; 1892, 147; 1893, 78, 403; 1896, 190.)

SECTS. 17, 18. Cities and towns not liable for injuries resulting from snow or ice on a highway. St. 1896, 540. (See 1893, 476 § 13; 1894, 497 §§ 6, 7.)

SECT. 19. Notice shall not be invalid for unintentional inaccuracy if party entitled to notice was not misled. St. 1882, 36; 1888, 114. Provision for correcting defects in notice. St. 1894, 389. (See 1894, 422.)

Words "in the superior court" stricken out. St. 1888, 114. (See 1882, 36.)

Chapter 53. — Of the Regulations and By-laws respecting Ways and Bridges.

The use of bicycles, etc., is regulated. St. 1894, 479.

Canals and waterways adjudged to be dangerous to public travel must be fenced. St. 1887, 393.

SECT. 1 revised. Guide posts shall be erected at forks and intersections of ways leading to other towns. St. 1887, 162.

SECTS. 11-14. The leading or driving of a bear or other dangerous wild animal upon the highway is forbidden. St. 1894, 105.

SECT. 13 *et seq.* Certain rights of way in the streets, etc., are given to the police in Boston. St. 1889, 57. (See 1893, 367 § 120.)

Cities and towns may regulate width of tires on vehicles owned therein. St. 1895, 296.

Selectmen in towns may regulate vehicles in streets. St. 1885, 197. And street musicians and coasting. St. 1892, 390. (See 1894, 479.)

SECT. 16 amended. St. 1892, 390.

SECT. 18. County commissioners may regulate the speed at which persons may ride or drive over certain bridges. St. 1888, 313. (See 1882, 108.)

SECT. 28 *et seq.* See St. 1889, 246; 1890, 118.

Chapter 54. — Of the Boundaries of Highways and other Public Places and Encroachments thereon.

Provision for establishment of a building line on public ways. St. 1893, 462; 1896, 313.

An act to protect trees from disfigurement. St. 1893, 403.

Erection and maintenance of posts, wires and structures in highways regulated. St. 1884, 302, 306; 1889, 398, 434. (See 1883, 221.) And advertising signs on posts in Boston. St. 1895, 352.

Barbed wire fences are restricted. St. 1884, 272.

SECTS. 6-11. Further provisions for planting, cutting, trimming and preservation of shade trees. St. 1885, 123; 1890, 196; 1891, 49; 1892, 147; 1896, 190. (See Res. 1886, 32. St. 1893, 78, 403.)

SECTS. 9 and 12 are repealed. St. 1885, 123 § 3.

SECT. 16. Certain exceptions made. St. 1889, 129; 1893, 75.

Chapter 56.—Of the Inspection and Sale of Butter, Cheese, Lard, Fish, Hops, Leather, and Pot and Pearl Ashes.

A uniform standard is established for certain weights and measures. St. 1894, 198.

Provision made for a State dairy bureau and protection of dairy products. St. 1891, 412; 1892, 139. (See 1894, 280; 1895, 214.)

SECTS. 3-21. Sale of imitations of butter regulated. St. 1886, 317; 1891, 58, 412; 1894, 280; 1896, 377. (See 1882, 263; 1884, 310; 1885, 352.)

Sale of adulterated lard regulated. St. 1887, 449.

SECT. 20. Powers and duties of inspectors increased. St. 1884, 310 § 2; 1885, 352 § 5; 1891, 58 § 2. (See 1882, 263.)

SECT. 22 *et seq.* Public weighers of salt-water fish provided for. St. 1888, 163.

Chapter 57.—Of the Inspection and Sale of Milk.

Municipal, district and police courts and trial justices are given jurisdiction under this chapter. St. 1885, 149. (See 1893, 396 § 40.)

Provision is made for a State dairy bureau and protection of dairy products. St. 1891, 412; 1892, 139.

This chapter is not repealed or amended by St. 1882, 263. St. 1884, 289 § 4.

SECT. 2 is revised and powers and duties of inspectors modified. St. 1884, 289, 310 §§ 3, 4; 1885, 352 §§ 4, 5; 1886, 318; 1891, 58 § 3; 412 § 10. (See 1895, 449 § 19; 1896, 250.)

SECTS. 5, 7, 9 are revised. Additional provisions against adulteration of milk. St. 1884, 289, 310; 1885, 352; 1886, 318; 1891, 412; 1896, 398. (See 1882, 263; 1889, 326.) The sale of condensed milk is regulated. St. 1896, 264.

An act to protect owners of cans used in sale of milk, cream, etc. St. 1893, 440.

SECT. 8. It is made an offence to obstruct an inspector. St. 1884, 310 § 5. And to counterfeit his seal or tamper with samples. St. 1886, 318 § 4; 1896, 398 § 3. And to wilfully deface and misuse milk cans. St. 1885, 133.

SECT. 12 is repealed. St. 1885, 145.

Chapter 58.—Of the Inspection and Sale of Provisions and Animals intended for Slaughter.

This chapter is repealed and the laws relating to contagious diseases among domestic animals are revised and codified. St. 1894, 491; 1895, 476, 496; 1896, 276. (See 1884, 232; 1885, 148, 378; 1887, 250, 252; 1892, 195, 432; 1893, 306; 1895, 449 § 19; 1896, 250.)

Further provisions to prevent adulteration of food and drugs. St. 1882, 263; 1884, 289; 1886, 171. (See 1883, 263; 1896, 397.)

The sale of dressed poultry is regulated. St. 1887, 94. (See 1883, 230.)

Chapter 59.—Of the Inspection and Sale of Certain Oils.

SECTS. 6, 7. Provision is made to regulate preparation, storage, inspection and sale of certain unsafe oils, and kerosene and petroleum products, and the erection of buildings therefor. St. 1885, 98, 122; 1894, 399. (See 1882, 250; 1892, 419 § 111; 1896, 520.)

Chapter 60.—Of the Inspection and Sale of Various Articles.

A uniform standard is established for certain weights and measures. St. 1894, 198; 1895, 28.

An act to regulate bakeries. St. 1896, 418.

Provision for inspection of ice sold in cities. St. 1895, 338.

Dealers in ice must provide each wagon with scales and weigh ice when requested. St. 1890, 276.

SECTS. 11-16 are repealed and new provisions made. St. 1896, 297. (See 1888, 296.)

SECT. 17 is repealed. St. 1883, 29.

SECT. 20. A standard measure for cranberries is established. St. 1884, 161. (See 1883, 225; 1890, 426.)

SECTS. 21, 22 are revised and other articles added. St. 1888, 414; 1894, 198 § 6. (See 1890, 465.)

SECTS. 54, 55 are repealed. St. 1894, 111.

SECTS. 56, 57 are revised and sections 58-60 repealed. Wire nails are included. Penalties and forfeitures regulated. St. 1892, 63.

SECTS. 61, 67. See St. 1894, 198.

SECTS. 69-71. Provisions against adulteration of vinegar and for compensation of inspectors. St. 1883, 257; 1884, 163, 307; 1885, 150.

SECTS. 72-78. Cities may regulate sale by the load of prepared wood, slabs and edgings. St. 1891, 136. Measurers may be licensed by an adjoining town. St. 1894, 83 § 2.

SECTS. 79-82. Sale of coal by measure regulated, and standard ton established. St. 1894, 429. (See 1883, 218, 225; 1884, 70.)

Chapter 61.—Of the Inspection of Gas and Gas Meters.

A board of gas and electric light commissioners is established and their powers and duties prescribed. St. 1885, 314; 1886, 346; 1887, 382, 385; 1888, 350; 1889, 373; 1891, 370; 1892, 259, 263; 1894, 327, 503; 1895, 468; 1896, 356, 426, 473. (See 1888, 428; 1891, 351.)

Clerk's salary fixed. St. 1891, 351; 1894, 503.

The manufacture, sale and inspection of gas and electric light regulated. St. 1885, 240, 314; 1886, 346; 1887, 382, 385; 1888, 350, 428; 1889, 169; 1890, 252; 1891, 370; 1892, 67, 259, 263, 274; 1893, 454; 1894, 299, 316, 327; 1895, 228, 330, 350, 420; 1896, 356, 480. (See 1886, 250; 1887, 391 § 2; 1890, 404; 1896, 426.)

Report of accidents required. St. 1896, 338.

SECT. 1 amended. Tenure of office regulated. St. 1889, 169.

SECTS. 13, 14 do not apply to gas for heating, cooking, chemical and mechanical purposes. St. 1885, 240.

SECT. 14 amended. St. 1892, 67. (See 1886, 250; 1890, 252.)

SECT. 16. Refusal to furnish gas to occupant of a building, because of non-payment of gas-bill by a previous occupant, is unlawful. St. 1894, 299.

SECTS. 16-18 extended to electric lighting. St. 1894, 316; 1895, 330.

Chapter 63.—Of the Survey and Sale of Lumber, Ornamental Wood and Ship Timber.

SECTS. 1-5, 16, 19 are revised. St. 1890, 159.

SECTS. 6, 7. Surveyors may be licensed to survey lumber in an adjoining town. St. 1894, 83.

Chapter 65.—Of Weights and Measures.

A uniform standard of certain weights and measures is established. St. 1894, 198; 1895, 28.

The weights, measures and balances to be kept by counties, cities and towns are defined and inspection provided for. St. 1890, 426.

The sale of coal by measure regulated and standard ton fixed. St. 1894, 429. (See 1883, 218; 1884, 70.)

SECT. 8. Sealers are to be appointed in cities by mayor and aldermen. St. 1882, 42.

SECT. 21. Unlawful measures may be seized. Their possession implies unlawful intent. St. 1883, 225.

SECTS. 27, 29. See St. 1894, 198; 1895, 28.

Chapter 67.—Of Auctioneers.

SECTS. 1, 5 are revised. St. 1886, 289.

Certain veteran soldiers and sailors are exempted from payment of license fee. St. 1895, 456.

SECT. 6 amended and auction sales further regulated. St. 1890, 449; 1891, 144. (See 1886, 289.)

Chapter 68.—Of Hawkers and Peddlers.

SECT. 1. Itinerant vendors must be licensed. Sales by them regulated. St. 1890, 448; 1894, 525. (See 1883, 168; 1885, 309; 1887, 422, 445; 1890, 449; 1891, 144.)

Provision to prevent illegal peddling by minors. St. 1887, 422; 1892, 331. (See 1885, 305.) And peddling near licensed picnic groves. St. 1887, 445. (See 1885, 309.)

SECTS. 1, 2. Cities may regulate sale by hawkers and peddlers of any articles mentioned in section one. St. 1883, 168.

SECT. 2. New provisions made for licensing minors and regulating sales by them. St. 1892, 331. (See 1887, 422.)

SECTS. 4, 9. Licenses may be granted to persons over seventy years of age. St. 1883, 118. And to certain honorably discharged soldiers and sailors. St. 1889, 457.

SECT. 17. See St. 1890, 449 § 2.

Chapter 69. — Of Shipping and Seamen, Harbors and Harbor Masters.

Copy of registers of foreign vessels must be filed with commissioner of corporations and the commissioner appointed agent to receive service of legal process. St. 1889, 393. (See 1884, 330.)

SECTS. 1-9. Provision made for transportation of shipwrecked seamen. St. 1886, 179.

SECT. 5. Extended to Gloucester harbor. St. 1895, 106 § 1.

SECT. 8. Clause as to advance wages stricken out. St. 1889, 284.

SECT. 11. Harbor lines established: Boston; St. 1882, 48; 1891, 309; 1892, 358 § 2. Chelsea; 1887, 344. Gloucester; 1882, 103; 1883, 109; 1895, 106 § 2. (See 1885, 315.) Haverhill; 1883, 104.

SECT. 23. Further provisions for protection of harbors, beaches and shores. St. 1884, 269; 1892, 206. Boston; 1892, 358. Marblehead; St. 1892, 214.

SECT. 25. Provision for assistant harbor masters. St. 1882, 216. (See 1884, 173.)

Appointment of harbor masters in Boston regulated. St. 1889, 147.

SECTS. 26, 29, 33. Powers of harbor masters extended. St. 1884, 173. Regulations made for Gloucester harbor. 1885, 315.

SECT. 33 extended to sections 23-32. St. 1884, 173.

Chapter 70. — Of Pilots and Pilotage.

Additional pilots provided for. St. 1882, 174; 1887, 298.

Pilotage fees established: Cohasset; St. 1887, 298. Salem and Beverly; 1887, 204. Winthrop; 1892, 114. Wood's Holl; 1889, 275. (See 1888, 288.)

SECT. 7. Boston harbor limits regulated. St. 1892, 358 § 2.

SECT. 12. The pilots shall be "for any or all of said ports." St. 1890, 300.

SECTS. 26-32. Certain exemptions from fees are made. St. 1884, 213, 252.

SECT. 30. Limit extended. St. 1884, 252 §§ 2, 3.

SECT. 39. It is forbidden to assume or continue to act, without authority, as a pilot. St. 1884, 252 § 6.

Chapter 72. — Of Public Warehouses.

SECT. 2. Bond and sureties are to be approved by the governor. St. 1885, 167.

SECT. 5. Provision for non-negotiable receipts assignable only on the books of the warehouseman. St. 1886, 258.

SECTS. 8, 10 amended. St. 1895, 348.

SECT. 10. Goods may be sold to pay charges a year overdue. St. 1887, 277; 1895, 348 § 6. Sale of perishable and dangerous goods provided for. St. 1895, 348.

Chapter 73. — Of Common Carriers and Express Companies.

An act to protect the business of licensed carriers of goods for hire. St. 1895, 481.

Chapter 74. — Of the Employment of Labor.

A State board of arbitration and conciliation is established. St. 1886, 263; 1887, 269. Clerk provided for. St. 1888, 261. And expert assistants. St. 1890, 385; 1892, 382.

A board is established to consider the subject of the unemployed. St. 1894, 238.

Employment in the civil service is regulated. St. 1884, 320; 1887, 364; 1888, 41, 253, 334; 1889, 177, 183, 351, 352; 1891, 140; 1893, 95, 253; 1894, 267, 519; 1895, 376, 501; 1896, 449, 494, 502, 517. (See 1895, 376.)

Preference is to be given to veteran soldiers and sailors in certain cases. St. 1896, 517. (See 1884, 320 § 14; 1887, 437; 1889, 473; 1894, 519; 1895, 501.)

And to citizens of the United States in employment of mechanics and laborers in public works. St. 1896, 494.

Provision for appointment of a registrar of labor. St. 1895, 376.

It is made an offence to compel any person, as a condition of employment, to agree not to join a labor organization. St. 1894, 508 § 3. (See 1892, 330; 1894, 437.)

Workmen employed by a contractor on public work for a city or town may sue the city or town for their wages, on certain conditions. St. 1892, 270.

Provision to prevent persons not residents of the Commonwealth acting as officers to protect property of employers of labor. St. 1892, 413.

Provision for authorizing bells, gongs and whistles for factories, etc. St. 1883, 84.

Leave of absence to vote provided for. St. 1893, 417 § 7. (See 1887, 272; 1890, 423 §§ 143, 144.) Influencing or punishing vote of employees is forbidden. St. 1893, 417 § 337; 1894, 209.

SECRS. 1, 2, 3 are repealed and the laws relating to employment of labor are revised and consolidated. St. 1894, 508, 534; 1895, 129, 144, 438; 1896, 241, 334, 449, 494. (See 1882, 150; 1884, 275; 1886, 87; 1887, 103, 121, 173, 215, 218, 269, 280, 330, 363, 399, 433; 1888, 149, 305, 348, 426 § 1; 1889, 135, 291; 1890, 48, 90, 183, 299, 375; 1891, 125, 239, 317, 350, 357; 1892, 83, 210, 296, 330, 352, 357, 410; 1893, 246, 386, 406; 1894, 209, 437; 1895, 471; 1896, 343, 444, 481, 502, 517.)

Specification of work is required in textile factories. St. 1894, 534; 1895, 144. (See 1887, 361; 1891, 125; 1892, 410.) Use of traversing machinery in cotton factories restricted. 1896, 343.

SECR. 3. Liability of employers for injuries to employees extended and regulated. St. 1886, 260; 1887, 270; 1888, 155; 1890, 83; 1892, 260; 1893, 111, 359; 1894, 499; 1895, 362 § 7. (See 1883, 243; 1886, 140, 173; 1890, 179; 1896, 343.)

SECR. 4. Hours of labor regulated in certain cases. St. 1894, 508 §§ 7-14. (See 1883, 157; 1884, 275; 1886, 90; 1887, 215, 280, 330; 1888, 348 §§ 1, 2; 1890, 183, 375; 1891, 350; 1892, 83, 352, 357; 1893, 386, 406.)

SECRS. 4, 5. Form of complaint prescribed. St. 1894, 508 § 56. (See 1892, 210.)

Chapter 75.—Of Limited Partnerships.

SECT. 3. Name of a former firm may be used with consent of its members. St. 1887, 248 § 1.

SECT. 5. Fee for filing fixed at one dollar. St. 1896, 523.

SECTS. 7, 8, 12 amended. Interest and liability of special partners regulated. St. 1887, 248.

Chapter 76.—Of the Use of Trade-marks and Names.

An act to protect owners of cans, bottles, etc., used in sale of milk, cream, soda water and other beverages. St. 1893, 440. And to protect use of labels, trade-marks and forms of advertising. St. 1895, 462. (See 1890, 104; 1893, 443; 1894, 285.)

Sale of goods marked sterling, or coin silver, regulated. St. 1894, 292.

Chapter 77.—Of Money, Bills of Exchange, Promissory Notes and Checks.

SECT. 1. The par of exchange established by United States Rev. Sts. § 3565 is adopted. St. 1882, 110.

SECT. 3 is not repealed by St. 1888, 388.

Interest on and discharge of small loans regulated. St. 1888, 388; 1892, 428. (See 1890, 416.)

No written promise to pay money shall be held not to be a promissory note or not negotiable because time of payment is uncertain, if it is payable in any event. St. 1888, 329.

SECT. 8 *et seq.* When Christmas falls on a Sunday the next day is a holiday. St. 1882, 49. Fast day abolished and April 19th made a holiday. St. 1894, 130; 1896, 162.

The first Monday of September is "labor's holiday." St. 1887, 263.

An act to abolish days of grace on commercial paper, except sight drafts. St. 1896, 496. (See 1896, 228.)

Presentment of bills and notes on holidays regulated. St. 1894, 333. (See 1894, 427; 1895, 415.)

Provision made for payment of checks, drafts, etc., presented after death of drawer. St. 1885, 210.

SECT. 17 amended. Banking hours on Saturday regulated. St. 1895, 415.

Chapter 78.—Of the Prevention of Frauds and Perjuries.

No agreement to make a will, devise or legacy is binding unless in writing. St. 1888, 372.

Chapter 79.—Of the State Board of Health, Lunacy and Charity.

The board is divided into a board of health, and a board of lunacy and charity. St. 1886, 101.

Salary of secretary fixed. St. 1889, 370.

The board of health is given general supervision of inland waters and sources of water supply. St. 1888, 375; 1890, 441 § 1. (See 1884, 154; 1886, 274; 1889, 439.) And the vaccine institutions. St. 1894, 355.

It may forbid sale of impure ice. St. 1886, 287. (See 1895, 338.)

Appropriation for enforcing laws against adulterations increased. St. 1891, 319. (See 1882, 263 § 5; 1883, 263; 1884, 289 § 1.)

False representations to officers of the board, etc., made punishable. St. 1891, 343.

It must report prosecutions and expenditures. St. 1884, 289 § 2.

The governor may appoint a special officer to assist in cases of deserted and unprotected children. St. 1895, 310. (See 1885, 158.)

SECT. 9. Classes of inmates who may be removed specified. St. 1887, 367. (See 1886, 219, 319; 1887, 346.)

SECT. 13 amended. St. 1894, 196.

Chapter 80.—Of the Preservation of the Public Health.

A metropolitan system of sewerage is provided for. St. 1889, 439; 1895, 406. (See 1891, 192; 1894, 307; 1895, 294.) And water supply. St. 1895, 488; 1896, 436. And parks. St. 1893, 407; 1894, 288, 509; 1895, 305, 450. (See 1893, 475; 1894, 393, 483; 1895, 272, 283; 1896, 199, 465, 466, 550.) And improvement of Charles river. St. 1893, 475. Provision made to prevent adulteration of food and drugs. St. 1882, 263; 1884, 289; 1886, 171, 287; 1891, 319. (See 1883, 263; 1891, 58, 374, 412; 1894, 280; 1896, 264, 377, 397.) And of spirituous liquors. St. 1896, 272.

To regulate bakeries. St. 1896, 418.

To prevent sale of toys or confectionery containing arsenic. St. 1891, 374.

To prevent sale of impure ice. St. 1886, 287. (See 1895, 338.)

To prevent manufacture of clothing in unhealthy places. St. 1894, 508 §§ 44-48. (See 1891, 357; 1892, 296; 1893, 246.)

To prevent feeding of garbage, refuse or offal to milch cows. St. 1889, 326. Or to food animals. St. 1895, 385.

To authorize and regulate crematories. St. 1885, 265.

To abate nuisances by smoke in Boston. St. 1895, 389. (See 1893, 353.)

For suppression of contagious diseases among cattle. St. 1884, 232; 1887, 250, 252; 1894, 491; 1895, 476, 496; 1896, 276. (See 1885, 148, 378; 1892, 195, 432; 1893, 306.)

For registration and regulation of pharmacists. St. 1896, 397. (See 1885, 313; 1887, 267; 1893, 227, 472; 1894, 435.) And of dentists. St. 1887, 137. And plumbers. St. 1888, 105; 1893, 477; 1894, 455; 1895, 453. (See 1882, 252 § 2; 1892, 419 §§ 120, 138.) And of physicians and surgeons. St. 1894, 458; 1895, 412; 1896, 230. And for licensing and regulating stables in cities. St. 1891, 220; 1895, 213.

Supreme judicial court in equity may enforce provisions of this chapter and acts in addition thereto. St. 1893, 460.

SECTS. 1, 53, 93 amended. St. 1886, 101 § 4.

SECTS. 2, 21, 28-35 amended; section 3 repealed, and provision made for election of boards of health in towns. St. 1894, 218, 473; 1895, 398, 506. (See 1885, 307.)

SECT. 8 is revised. St. 1895, 332. (See 1894, 174.)

SECT. 10. Local boards may close places of burial. St. 1885, 278 § 1.

SECT. 12. Provisions for regulation of house drainage and connection with public sewers. St. 1889, 108; 1890, 74, 132.

SECTS. 21-23. Privy vaults are restricted in cities. St. 1890, 74.

SECT. 28. Expenditure under this section, without a previous appropriation, is limited. St. 1887, 338 § 1.

SECTS. 30-32. Right given of appeal and trial by jury, as in case of land taken for highways. St. 1887, 338 §§ 2, 3.

SECTS. 51-55 repealed. New provisions made in regard to vaccination. St. 1894, 515.

SECT. 60. Further provisions regulating infant boarding-houses and adoptions. St. 1889, 309; 1891, 194; 1892, 318. (See 1882, 270; 1885, 176; 1889, 416; 1893, 262.)

SECT. 69 amended. St. 1893, 79.

SECT. 70. Massachusetts homœopathic hospital aided, and appointment of trustees provided for. St. 1890, 358.

SECTS. 78, 79 are repealed and new provisions made as to notices and reports of contagious diseases. St. 1883, 138; 1884, 98; 1890, 102; 1891, 188; 1893, 302. Provision for hospital accommodations in cities. St. 1894, 511. And for treatment of indigent persons suffering from contagious or infectious venereal diseases. St. 1895, 400. (See 1895, 483, 503.)

SECT. 83 amended. St. 1886, 101 § 4. (See 1883, 138; 1893, 302.)

SECTS. 88-91 amended. Appeals and proceedings regulated. St. 1889, 193. (See 1883, 133.)

SECT. 92. Consent of common council required in cities. St. 1893, 106.

SECT. 96 amended. St. 1896, 252.

SECT. 96 *et seq.* Further provision made to protect the purity of inland waters and sources of water supply. St. 1884, 154, 172; 1888, 160, 375; 1890, 441. (See 1886, 274; 1893, 407.)

A metropolitan sewerage system is established. St. 1889, 439.

SECTS. 98-100 are repealed. St. 1884, 154.

SECTS. 103-105 are repealed. St. 1891, 120.

Chapter 81. — Of the Promotion of Anatomical Science.

SECT. 1. Change made in persons by whom permits may be given. St. 1891, 185, 406.

SECT. 3 repealed. St. 1891, 185.

SECT. 4. Friends have three days to ask for burial. St. 1891, 185 § 2.

Chapter 82. — Of Cemeteries and Burials.

Provision made for commissioners of burial grounds in towns. St. 1890, 264.

Cremation of the dead authorized and regulated. St. 1885, 265.

Change of corporate name provided for. St. 1891, 360; 1892, 198, 201.

SECT. 3 is repealed and new provisions made defining rights of widows and children in burial lots and tombs. St. 1885, 302; 1892, 165. (See 1883, 262.)

SECT. 6. Conveyances need be recorded only in the records of the corporation. St. 1883, 142; 1889, 299.

Records must be kept of all conveyances and contracts in relation to lots. St. 1889, 299. (See 1883, 142; 1890, 264 § 3.)

SECT. 17. Towns and cities may receive funds for care, improvement and maintenance of burial places and lots. St. 1884, 186; 1890, 264 § 4.

SECT. 19. Boards of health may close any place of burial. St. 1885, 278 § 1.

SECT. 24. To sustain an appeal the jury must find that the closing was not necessary for the protection of the public health. St. 1885, 278 § 2.

SECTS. 25-28 are repealed. St. 1885, 278 § 3.

Chapter 84.—Of the Support of Paupers by Cities and Towns.

Provision is made for remedial treatment of recently insane paupers. St. 1890, 414. (See 1886, 319 § 3.)

False representations for the purpose of causing any person to be supported as a pauper are made an offence. St. 1891, 343.

Provision made for custody and care of pauper children. St. 1882, 181; 1883, 232, 245; 1886, 330; 1887, 401; 1888, 248; 1889, 230; 1893, 197, 217, 252; 1896, 288, 382.

SECT. 2. See St. 1890, 414; 1893, 423 § 12.

SECT. 3 is extended to towns. St. 1893, 197. The state board of lunacy and charity may act in certain cases. St. 1887, 401; 1893, 197 § 2. (See 1889, 230 § 2.)

SECT. 6. The pauper and his estate are made liable for expenses incurred for him. St. 1882, 113.

SECTS. 14-18. Transportation of destitute shipwrecked seamen provided for. St. 1886, 179.

SECT. 17. Overseers shall bury unclaimed or unidentified bodies upon which inquests have been held. St. 1887, 310 § 3.

Burial of deceased indigent soldiers, sailors and marines provided for. St. 1889, 395; 1892, 184.

The sums which may be paid for burial of paupers are increased. St. 1890, 71.

SECT. 18. Period for which aid may be furnished increased. St. 1891, 90 § 1.

SECTS. 18, 21, 35 amended. St. 1886, 101 § 4.

SECT. 19 is revised. St. 1895, 445.

SECT. 20. Towns and cities may contract with hospitals for temporary care of the unfortunate and sick. St. 1890, 119.

SECT. 21 amended. St. 1883, 232 § 1. (See 1882, 181, 270; 1883, 245; 1885, 176; 1886, 330; 1887, 401; 1888, 248; 1893, 217.)

SECT. 29. Removal by overseers to be made within one month after notice. St. 1891, 90 § 2.

Chapter 85.—Of the Maintenance of Bastard Children.

SECT. 1. Clerk of court may receive complaint and issue warrant. St. 1885, 289.

SECT. 2 amended. St. 1886, 101 § 4.

SECT. 6. Accused may be committed until bond be given. Provision for approval of bond. St. 1891, 367.

Chapter 86.—Of Alien Passengers and State Paupers.

SECT. 1 amended. St. 1886, 101 § 4.

SECT. 13. A new board for both almshouse and workhouse is established and regulated. St. 1884, 297; 1891, 299.

SECTs. 16, 19. The same person may be superintendent and resident physician. St. 1883, 278.

SECT. 21. Change made in persons who may give certificates. St. 1891, 84.

SECT. 22 *et seq.* The removal of sick paupers is further regulated. St. 1885, 211; 1887, 440.

SECTs. 25, 26, 31 amended. St. 1885, 211; 1891, 153. (See 1887, 440.)

SECT. 28 was repealed by St. 1883, 239, which was again repealed and new provisions made by St. 1886, 298. (See 1884, 88; 1887, 123 § 2.)

SECT. 37 is extended to persons not being sentenced inmates. Complaints regulated. St. 1884, 258. (See 1886, 101 § 4.)

SECT. 39. Board of lunacy and charity may transfer pauper lunatics to asylum at State almshouse. St. 1888, 69.

SECT. 44 *et seq.* New provisions made as to care of children. St. 1882, 181; 1883, 232; 1886, 330; 1888, 248; 1893, 217, 252; 1896, 288, 382.

A limited number of children afflicted with epilepsy or chronic disease may be placed in hospital cottages at Baldwinville, which are aided, and State trustees are provided for. St. 1887, 441; 1889, 230; 1890, 354; 1892, 407. (See Res. 1888, 91.) Hospital established for epileptics. St. 1895, 483. And for consumptives. St. 1895, 503. (See 1895, 400.)

SECT. 46 amended. St. 1882, 181 § 1.

Chapter 87.—Of Lunacy and Institutions for Lunatics.

SECTs. 1, 29 amended. St. 1886, 101 § 4.

SECT. 2 *et seq.* Additional hospital accommodations provided for at Westborough; St. 1884, 322. In eastern Massachusetts; St. 1890, 445. At Medfield and Dover; St. 1892, 425. (See 1892, 425; 1893, 395; 1894, 391, 465, 526; 1895, 399. Res. 1896, 41.) A hospital for male dipso-maniacs and inebriates; St. 1889, 414; 1890, 251; 1891, 158. (See 1885, 339; 1891, 307; 1892, 53; 1893, 223, 256, 395. Res. 1892, 33, 50, 55.) For insane criminals; St. 1886, 219; 1895, 390. And for epileptics; St. 1895, 483.

SECT. 4. Number of trustees increased. St. 1884, 149.

SECTs. 6, 7, 9. Extended to hospital for epileptics. St. 1895, 483 § 6.

SECT. 6 *et seq.* At all State institutions for the insane, provision shall be made for fire escapes and apparatus. St. 1890, 378.

SECT. 7. Female assistant physicians provided for. St. 1884, 116.

SECT. 9. Time of meeting and of report changed. St. 1887, 170.

SECT. 11 *et seq.* Further provisions as to commitment and custody of insane. St. 1884, 234, 322 §§ 7, 9; 1885, 339, 385; 1886, 219, 319; 1887, 346; 1889, 90, 414; 1890, 414; 1891, 158; 1892, 53; 1894, 195; 1895, 286, 390, 429. (See 1883, 148; 1892, 229.)

SECTS. 11, 37, 46. Cities of over fifty thousand inhabitants may establish asylums for chronic insane. St. 1884, 234.

Chronic and quiet insane may be cared for in private families. St. 1885, 385. (See 1887, 347 § 2, 367; 1890, 414; 1894, 195; 1896, 482.)

SECT. 12 amended. St. 1894, 195.

SECT. 13 is revised. St. 1895, 286, 429. (See 1892, 229.) Fee for commitment established. St. 1894, 493.

SECT. 14 repealed. St. 1892, 53 § 2.

SECT. 15. See St. 1884, 322 § 7.

SECT. 21. Fees as witnesses of salaried officers regulated. St. 1890, 440.

SECT. 23. Fee for physician's certificate changed. St. 1894, 493 § 2.

SECT. 25. Application shall be made in case of any insane person deprived of proper treatment. St. 1890, 414 § 1.

SECT. 26. See St. 1884, 234.

SECTS. 32-34. Commonwealth shall pay for support of certain criminals committed to insane hospitals. St. 1883, 148; 1889, 90. (See 1894, 214 § 3.)

Provision to reimburse towns in certain cases. St. 1892, 243; 1895, 375.

SECT. 37. Name of temporary asylum changed. St. 1887, 239.

SECT. 38 *et seq.* The transfer of the insane regulated. St. 1884, 234 § 3, 322 §§ 7, 9; 1885, 339 §§ 2, 3, 385; 1886, 219, 319; 1887, 346 § 2, 367; 1889, 90, 414 § 16; 1890, 414; 1891, 158; 1894, 251; 1895, 390; 1896, 482.

SECT. 40. Superintendents may be authorized to discharge patients and may allow temporary absences. St. 1883, 78. (See 1885, 339 § 3; 1886, 319.)

SECT. 46 *et seq.* Overseers of the poor shall not commit or detain recently insane persons in an almshouse without remedial treatment. They must give notice to the State board of the admission and discharge of the insane. St. 1890, 414. (See 1886, 319 § 3.)

SECTS. 47-49 are repealed. The asylum at Ipswich is discontinued. St. 1887, 207. (See 1890, 445.)

SECT. 50. See St. 1887, 367.

SECT. 55 *et seq.* Name changed to "school for the feeble-minded." Regulations revised. St. 1883, 239; 1886, 298. The allowance is increased. St. 1887, 123. (See 1884, 88; 1886, 298 § 4.)

Chapter 88.—Of the State Workhouse.

Name changed to "State farm." St. 1887, 264.

A new board is established. St. 1884, 297; 1891, 299. (See 1883, 279; 1887, 264.)

Provision for an asylum for insane criminals. St. 1886, 219; 1895, 390.

SECT. 4 amended. St. 1886, 101 § 4.

SECTS. 5-8. Persons not being sentenced inmates, who escape and within one year are found begging, may be punished. St. 1884, 258. (See 1889, 245.)

Provision made for transfer of prisoners to and from the State farm. St. 1884, 297; 1887, 292; 1890, 180, 278; 1894, 214.

Chapter 89. — Of the State Primary and Reform Schools and the Visitation and Reformation of Juvenile Offenders.

SECTS. 1, 8. Primary and reform schools changed to Lyman school; and authority of trustees extended and commitments regulated. St. 1884, 323; 1885, 86, 151; 1895, 428. (See 1884, 255 § 11; 1896, 288.)

SECTS. 4, 5. Provision made for care and maintenance of pauper children between the ages of three and sixteen having no settlement. St. 1882, 181; 1883, 232 § 3; 1886, 330. (See 1888, 248; 1896, 288.)

SECTS. 5, 7 amended. St. 1886, 101 § 4.

SECT. 15 *et seq.* Girls committed by United States courts are to be sent to the State industrial school for girls. St. 1887, 426 § 2.

Arrests and commitments of children regulated. St. 1882, 127, 181 § 3; 1883, 110; 1884, 255 § 11, 323 § 3; 1888, 248. (See 1887, 266; 1889, 469; 1896, 288, 382.)

No boy over fifteen shall be committed to the Lyman school. St. 1884, 255 § 11, 323 § 3.

SECT. 18. Summons to be issued to children under twelve. St. 1882, 127 § 3.

SECT. 20. New provision made as to notice of complaint. St. 1883, 110.

SECT. 33. Fees and charges of salaried officers regulated. St. 1889, 469; 1890, 440; 1891, 325.

SECT. 34 *et seq.* See 1896, 288.

SECT. 45. Trustees may discharge boys for mental incapacity or bodily infirmity. St. 1889, 123.

SECTS. 49, 51 repealed. St. 1888, 248 § 2. (See 1882, 181 § 3; 1887, 266.)

Chapter 90. — Of Contagious Diseases among Cattle, Horses and other Domestic Animals.

This chapter is repealed and revised. St. 1887, 252; 1892, 195, 432; 1894, 491; 1895, 476, 496; 1896, 276. (See 1884, 232; 1885, 148, 378; 1887, 250; 1893, 306.)

Chapter 91. — Of Inland Fisheries and Kelp.

The commissioners shall be game commissioners also. St. 1886, 276 § 7; 1895, 56.

Fishing is regulated in various places: Barnstable county; St. 1884, 264; 1887, 120. (See 1885, 193; 1886, 202; 1887, 120.) Bass river; 1894, 134. Berkshire; 1888, 276; 1890, 193; 1895, 199. Bourne; 1891, 164. (See 1889, 202.) Brimfield; 1895, 411. Bristol; 1882, 189. Buzzard's bay; 1884, 214 § 2; 1886, 192; 1891, 327; 1893, 205, 255. (See 1887, 197; 1890, 229.) Dennis; 1895, 203. Dukes; 1884, 245; 1886, 234. (See 1882, 102; 1895, 180.) Eastham; 1893, 77. Edgartown; 1882, 65; 1885, 247; 1886, 234; 1891, 52. (See 1882, 65; 1885, 247.) Essex; 1888, 126; 1893, 36. Franklin, Hampden and Hampshire; 1890, 193. Crystal lake, Haverhill; 1894, 296. Marion; 1892, 188; 1893, 255. Marshfield, 1889, 292; 1890, 336. Mashpee; 1884, 264;

1892, 196. Mattapoisset; 1884, 214; 1890, 229; 1892, 186. (See 1887, 197.) Merrimack river; 1882, 166; 1883, 31, 121; 1884, 317; 1893, 201; 1895, 88. (See 1894, 113.) Nantucket; 1891, 128. (See 1887, 96; 1888, 238.) Norwell and Pembroke; 1889, 292; 1890, 336. Plum Island bay (tributaries); 1887, 105; 1890, 30. Plymouth; 1884, 199; 1886, 163; 1889, 292; 1890, 336. (See 1883, 76.) Quinsigamond lake. 1896, 259. Randolph; 1889, 78. Scituate; 1889, 292; 1890, 336. Wellfleet bay; 1891, 135. (See 1889, 179.) Lake Chaubunagungamaug, Webster; 1896, 110. Westport; 1887, 193; 1891, 137.

Persons violating the fish laws may be arrested without a warrant in certain cases. St. 1893, 105.

Commissioners may forbid discharge of sawdust from a mill into a brook. St. 1890, 129.

The catching of pickerel is restricted. St. 1888, 331. (See 1895, 199.)

Squam pond, Gloucester, granted to the United States fish commission for ten years. St. 1892, 43.

Provision made for protection of traps, trawls and seines. St. 1882, 53.

A bounty provided for destruction of seals. St. 1888, 287; 1892, 234.

SECT. 3. See St. 1893, 105.

SECTS. 10-24. Use of nets in ponds restricted. St. 1884, 318.

An act for the protection of great ponds. St. 1888, 318.

SECT. 12. The provisions for leasing great ponds are repealed. St. 1885, 109. (See 1889, 354; 1895, 180.)

SECT. 16. Proceedings against defaulting lessees regulated. St. 1886, 248.

SECT. 17. See St. 1886, 248 § 2.

SECT. 25. Provision for flowing lands in Barnstable for fish culture. St. 1889, 383.

SECT. 26 not repealed by St. 1892, 252.

SECT. 31. Rights of riparian proprietors extended. St. 1890, 231.

SECTS. 36, 39. Use of nets and seines in Merrimack river regulated. St. 1882, 166; 1883, 31, 121; 1884, 317. (See 1882, 53.)

SECT. 41. Certain fisheries exempted. St. 1884, 199.

SECTS. 45, 46. See St. 1894, 113.

SECTS. 51-53. Regulations for trout, land-locked salmon and lake trout fishing. St. 1884, 171; 1888, 276; 1890, 193; 1891, 138; 1892, 252; 1895, 277. (See 1893, 105.)

Furnishing trout and trout spawn by the Commonwealth regulated. St. 1893, 59.

SECT. 55. See St. 1888, 126.

SECT. 56. Black bass fishing regulated. St. 1893, 80; 1896, 229.

SECTS. 57, 59. Smelt fishery regulated in certain waters. St. 1887, 105; 1890, 30; 1891, 128; 1894, 189.

SECTS. 68, 69. Cities and towns may regulate or prohibit taking of eels and shell-fish. St. 1889, 391. (See 1889, 64; 1892, 186, 188; 1893, 55, 255.)

SECT. 70. Rights acquired under this section not affected by St. 1886, 192; 1887, 197; 1890, 229; 1891, 327; 1893, 205.

SECTS. 73, 74, 75 apply to owners of traps or contrivances for catching lobsters. St. 1889, 109.

SECT. 76. See St. 1882, 102; 1884, 245, 264; 1887, 120.

SECT. 81 *et seq.* Provisions for protection of lobsters. St. 1882, 98; 1884, 212; 1885, 256; 1887, 314; 1889, 109; 1890, 293; 1891, 122; 1893, 183. (See 1892, 403; 1893, 105.)

SECT. 84. See St. 1884, 212; 1887, 314.

SECT. 85. See St. 1887, 314 § 2.

SECTS. 93, 94. The planting and taking of oysters are regulated. St. 1884, 284; 1885, 220; 1886, 299; 1895, 282. Taking oysters restricted in Westport; St. 1887, 119. In Yarmouth; St. 1892, 74.

The planting and digging of clams are regulated in certain places. St. 1888, 198, 202; 1889, 64.

SECT. 95. The taking of scallops is regulated. St. 1896, 268. (See 1885, 220, §§ 3, 4; 1887, 96; 1888, 223, 238; 1889, 391; 1892, 188; 1893, 55, 172.)

SECTS. 97-101 extended to waters where there are no natural oyster beds. St. 1884, 284. And to oyster shells planted to catch seed. St. 1895, 282.

Use of dredge, tongs, etc., on private oyster beds forbidden without consent of owners. St. 1885, 220 § 5. (See 1893, 105.)

The granting of oyster licenses regulated. St. 1885, 220; 1886, 299. (See 1884, 284.)

SECT. 104. Payment of fines and forfeitures regulated. St. 1890, 390 § 3. (See 1887, 314 § 2.)

Chapter 92. — Of the Preservation of Certain Birds and other Animals.

This chapter is repealed and revised. St. 1886, 276; 1887, 300; 1888, 292; 1891, 142, 254; 1892, 102; 1893, 49, 105, 189, 398; 1894, 97, 102, 205; 1895, 55. (See 1882, 199; 1883, 36, 169; 1884, 282, 308; 1886, 246; 1887, 211; 1888, 269; 1890, 237, 249.)

The fish commissioners are made game commissioners also. St. 1886, 276 § 7. (See 1895, 56.)

Persons found violating the game laws may be arrested without a warrant in certain cases. St. 1893, 105.

Provision made for protection of game and prevention of trespass on private land. St. 1884, 308; 1890, 403, 410. (See 1886, 276 § 4.)

Liberating a fox or raccoon in Dukes county is prohibited. Provision for a reward for their destruction. St. 1890, 237.

SECTS. 1, 2. The close time for grouse, woodcock, quail and ducks is regulated. Killing pinnated grouse at any time forbidden. St. 1894, 205. (See 1886, 276 § 1; 1888, 292; 1890, 249; 1891, 142; 1893, 189, 398.)

Quail are protected in Nantucket. St. 1893, 49. (See 1894, 102.)

Mongolian, English and golden pheasants are protected. St. 1895, 55. (See Res. 1894, 79.)

SECT. 3. Shooting black duck in Plymouth bay and harbor regulated. St. 1888, 269. Shooting wild fowl from boats in certain waters of Nantucket is forbidden. St. 1886, 246.

Pursuit of wild fowl with a boat propelled by any other means than sails, oars or paddles is prohibited. St. 1892, 102. (See 1886, 246, 276.)

SECT. 6. Provision made for extermination of the English sparrow. St. 1890, 443. (See 1883, 36; 1886, 276 § 4.)

SECT. 7. Trapping or snaring of certain game and use of ferrets are made offences. St. 1886, 276 § 6; 1887, 300; 1891, 254. (See 1884, 308; 1893, 105.)

SECTS. 8-10. Further provision for protection of deer. St. 1882, 199; 1883, 169. (See 1893, 105.)

SECT. 9. Close season extended. St. 1894, 97.

Chapter 93.—Of the Law of the Road.

See St. 1889, 57; 1893, 367 § 120.

Chapter 94.—Of Timber afloat or cast on Shore.

Floating of timber in Connecticut river regulated. St. 1882, 274; 1883, 183.

Chapter 97.—Of Wrecks and Shipwrecked Goods.

This chapter is revised. St. 1887, 98. (See 1883, 260; 1885, 341.)

Provision made for removal of wrecks and obstructions in tide-waters. St. 1883, 260.

Chapter 98.—Of the Observance of the Lord's Day.

SECTS. 1, 2, 3 are repealed and the observance of the Lord's day regulated. St. 1895, 434. (See 1886, 82; 1887, 391; 1893, 41.)

The provisions of this chapter are not a defence to actions for injuries to a traveller on the Lord's day. St. 1884, 37.

SECTS. 13, 15 amended. St. 1887, 391 § 3.

Chapter 99.—Of Gaming.

Provision made for recovery of payments, etc., made on wagering contracts in securities and commodities. St. 1890, 437. (See 1892, 138.)

Provisions against gaming houses and resorts. St. 1885, 342; 1887, 448; 1892, 388; 1894, 410; 1895, 419. (See 1883, 120; 1885, 66; 1887, 380; 1890, 439 § 2; 1893, 226.) And against lotteries, policy lotteries and pool selling. St. 1892, 409; 1895, 419.

SECTS. 1, 2 amended. St. 1895, 419 §§ 11, 12.

SECT. 8 amended. St. 1885, 342; 1895, 419 § 13. (See 1894, 410.)

SECT. 10 repealed. St. 1895, 419 § 14.

Chapter 100.—Of Intoxicating Liquors.

Provision made for license boards in certain cities. St. 1894, 428; 1895, 379; 1896, 396.

The disposal or placing on file of liquor cases is restricted. St. 1885, 359.

A penalty is provided for employing a person under eighteen to serve liquor. St. 1890, 446.

Provision is made to prevent illegal sale of liquor in clubs. St. 1887, 206; 1890, 439; 1893, 226; 1894, 542.

SECT. 1. Sweet cider and light wines exempted in certain cases. St. 1894, 489.

SECTS. 2, 3, 5, 8, 10. Licenses to and sales by druggists and apothecaries regulated. St. 1896, 397. (See 1885, 313; 1887, 267, 431; 1889, 270; 1893, 472 § 4; 1894, 435.)

SECT. 5 *et seq.* The granting of licenses is further limited and regulated. St. 1882, 220, 222, 242, 259; 1883, 93; 1884, 158; 1885, 83, 90, 216, 323 § 2; 1887, 323, 392; 1888, 139, 254, 262, 340, 341; 1889, 270, 344, 347, 361; 1890, 446; 1891, 369; 1892, 280; 1896, 397 § 7. (See 1886, 323 § 2; 1887, 431; 1893, 148; 1894, 428, 435.)

Number of places to be licensed limited. St. 1888, 340.

Transfer of locality of licenses provided for. St. 1889, 344.

Licenses in summer resorts provided for. St. 1888, 340; 1892, 280; 1896, 440.

SECT. 7. Objection may be made by owner of real estate within twenty-five feet of premises. St. 1887, 323.

SECT. 9. Sales at night regulated. St. 1882, 242; 1885, 90.

Cl. 3 is revised. St. 1896, 272.

Cl. 4 extended to persons supported by public charity. St. 1884, 158.

Cl. 5 revised. Selling liquor at a table in a bar-room prohibited. St. 1891, 369.

SECT. 10, cls. 1-5. Sale, gift or delivery is forbidden on election days and certain holidays. St. 1885, 216; 1888, 254, 262; 1889, 347, 361; 1894, 130; 1895, 337; 1896, 162 § 2, 308. (See 1885, 90; 1889, 186.)

And may be forbidden in cases of riot or great public excitement. St. 1887, 365.

Cls. 1-3. No license of these classes shall be for a building within four hundred feet of a public school. St. 1882, 220. (See 1894, 129.)

Cls 1-5. No license of the first five classes shall be granted to be exercised in a dwelling-house or a store having interior connection with a dwelling. St. 1888, 139.

Licenses of the sixth class limited and regulated. St. 1896, 397. (See 1885, 313; 1887, 267, 431; 1889, 270; 1893, 227, 472; 1894, 435.)

SECT. 11. The minimum fees are increased. St 1888, 341.

SECT. 12. View of interior of the premises must not be obstructed. St. 1882, 259 § 1.

SECT. 13. Further requirements of sureties provided for. St. 1882, 259 § 2. Number of bonds on which one may be surety limited. St. 1894, 388; 1896, 169. The form of bond is changed. St. 1888, 283.

SECT. 16. License shall be void on conviction of violation of any provision of the liquor laws. St. 1887, 392.

SECT. 18 is extended to common victuallers. St. 1882, 242. The penalties are modified. St 1889, 114, 268. (See 1896, 308.)

SECT. 24. Sales to a minor for his own or any other person's use are forbidden. St. 1889, 390.

Sale to children under sixteen of candy, or other article, enclosing a liquid containing more than one per cent. of alcohol is forbidden. St. 1891, 333.

SECT. 25 is extended to sales by druggists except on physicians' prescriptions. The mayor or selectmen may give the notice and sue for benefit of

husband, wife, child, parent or guardian. St. 1885, 282. (See 1896, 397.)

SECT. 26. Additional facts made *prima facie* evidence. St. 1887, 414.

SECT. 27 is revised and new definition made. St. 1888, 219.

SECT. 29. The inspection and analysis of liquors regulated. St. 1882, 221.

Salary of inspector and assayer fixed. St. 1887, 232. (See 1885, 224; 1886, 175.)

SECT. 30. A search warrant may be issued by a justice authorized to issue warrants in criminal cases. St. 1884, 191. (See 1884, 286.)

SECTS. 30, 33. Implements of sale and furniture used or kept to be used for illegal keeping or sale of liquor may be seized, and may be destroyed or sold as court may order. St. 1887, 406; 1888, 297.

SECT. 38. Provision made for disposition of forfeited liquors. St. 1887, 53; 1888, 297. (See 1887, 406.)

SECT. 40. Costs increased in certain cases. St. 1888, 277.

SECT. 45. Clubs may be licensed. St. 1887, 206. (See 1890, 439; 1893, 226; 1894, 542.)

Chapter 101.—Of the Suppression of Common Nuisances.

SECT. 6. Provision for suppression of nuisances under this section. St. 1887, 380. (See 1887, 206.)

St. 1887, 414, applies to cases under this chapter. St. 1887, 414 § 3. Additional costs allowed in certain cases. St. 1888, 277.

Chapter 102.—Of Licenses and Municipal Regulations of Police.

Provision made for registration of pharmacists. St. 1896, 397. (See 1885, 313; 1887, 267; 1893, 227, 472; 1894, 435.) Of dentists. St. 1887, 137. Of plumbers, and inspection of their work and materials. St. 1888, 105; 1893, 477; 1894, 455; 1895, 453. (See 1882, 252 § 2; 1892, 419 §§ 120, 138.) Of physicians and surgeons. St. 1894, 458; 1895, 412. Of horses used for breeding purposes. St. 1890, 334.

And for licenses for infant boarding-houses. St. 1892, 318. (See 1882, 270, § 3; 1889, 309, 416; 1891, 194; 1895, 310 § 2. And for license to make, alter or repair clothing for sale in a private house. St. 1893, 246. (See 1891, 357; 1892, 296.) And for itinerant vendors of merchandise. St. 1890, 448; 1894, 525.

Licenses are required for engineers and firemen of certain steam boilers. St. 1895, 471; 1896, 546. (See 1893, 387; 1894, 481 § 2; 1895, 418.)

SECT. 2 amended. Provision made for license commissioners in certain cities. St. 1894, 235, 428.

SECT. 4. Time of grant and expiration of licenses changed. St. 1890, 73.

SECT. 5. See St. 1885, 316; 1893, 436.

SECT. 12, 15. Liability of innholders further limited. St. 1885, 358.

SECT. 13 extended to boarding-houses. St. 1883, 187. Maximum fine decreased. St. 1884, 169. Disposition of unclaimed or retained baggage, etc., regulated. St. 1893, 419; 1894, 181.

Public lodging-houses in Boston must be licensed. St. 1894, 414.

SECT. 21. Words "who is a minor" added after "student." St. 1893, 292 § 1.

SECT. 23 is repealed. St. 1893, 292 § 2.

SECT. 26. Intelligence offices are regulated. St. 1894, 180.

SECT. 33. Articles of personal apparel are not to be deemed perishable within the meaning of this section. St. 1884, 324.

SECTS. 33-37. The business of making loans on deposits or pledges of personal property is regulated. St. 1890, 416; 1895, 497. (See 1885, 252; 1888, 388; 1892, 428; 1896, 183.)

SECT. 34. St. 1888, 388, does not apply to licensed pawnbrokers and does not affect this section. St. 1890, 416 § 6; 1892, 428 § 6.

SECT. 35. Any district police officer may enter and examine pawnshops. St. 1888, 248.

SECT. 39. Provision for licenses for stables. St. 1890, 230, 395; 1891, 220; 1895, 213; 1896, 332. (See 1889, 89.)

No livery stable shall be within two hundred feet of a church, etc., without consent of the society worshipping therein. St. 1891, 220 § 2.

SECTS. 40-53 repealed so far as they relate to the city of Boston and other provisions made. St. 1892, 419. (See 1895, 471; 1896, 546.)

SECT. 49. See St. 1893, 387.

SECT. 54. Cities and towns may regulate sale or use of toy pistols, toy cannon and articles in which explosives are used. St. 1882, 272.

Fire-arms or dangerous weapons may not be sold or furnished to persons under fifteen. St. 1884, 76.

SECT. 56. Provision made for notice to chief engineer, etc., of place of storage of gunpowder and explosive compounds. St. 1882, 269.

SECTS. 69-75. Regulations for preparation, storage, inspection and sale of kerosene and petroleum products and erection of buildings therefor. St. 1885, 98, 122; 1894, 399. (See 1882, 250.)

SECTS. 80-84. The licensing of dogs is further regulated. St. 1885, 292; 1886, 259 § 2; 1887, 135, 307; 1890, 72; 1892, 50.

The keeping of blood-hounds and other like dogs is restricted. St. 1886, 340; 1892, 50.

Special licenses may be granted for breeding purposes. St. 1887, 307.

Bond required to account for receipts from dog licenses. St. 1888, 320. Time for payment of such receipts changed. St. 1886, 259.

SECT. 83 amended. St. 1886, 101 § 4.

SECT. 86. Provision for recording licenses in cases of transfer. St. 1884, 185.

SECT. 98 *et seq.* The law as to damages to domestic animals, etc., by dogs is revised. St. 1889, 454; 1894, 309. (See 1886, 259 § 1.)

Provision for appropriations from dog tax for maintenance of free public libraries in towns. St. 1890, 347 § 5.

SECT. 115 amended. No license shall be granted for Sunday exhibitions. St. 1895, 434 § 3. (See 1894, 353.)

An act to prevent immoral shows and entertainments. St. 1896, 339.

SECTS. 115-127. Provision for licensing skating rinks. St. 1885, 196. And picnic groves. St. 1885, 309. (See 1887, 445.)

Admission of children to places of amusement regulated. St. 1883, 446.

SECTS. 116-119. Municipal, district and police courts have jurisdiction under these sections. St. 1887, 293.

SECT. 124. Rate and manner of payment for these licenses changed. St. 1882, 258. (See 1894, 180.)

Fee for pawnbrokers' license established in certain cases. St. 1895, 497 § 2.

Hawking and peddling restricted, and gaming, horse-racing and shows forbidden within one-half mile of licensed groves for picnics, etc. St. 1887, 445. (See 1885, 309.)

Chapter 103. — Of the District and Other Police.

The laws relating to the inspection department of the district police are revised. St. 1894, 481. (See 1888, 113, 389, 426; 1891, 302, 357 § 6; 1893, 111, 199, 387; 1894, 337, 341.)

Provision for a reserve police force in certain cities. St. 1896, 314.

Special officers appointed in an emergency must be residents of the State. St. 1892, 413.

Tenure of police officers regulated in certain cities. St. 1890, 319.

Police matrons required in certain cities. St. 1887, 234; 1888, 181.

Pensions are provided for in certain cities. St. 1887, 178; 1892, 353, 378.

SECT. 1. Number of district police increased. St. 1885, 131; 1887, 256; 1888, 389, 426 § 13; 1891, 302, 357 § 6; 1893, 387; 1894, 281; 1895, 310, 396, 418 § 8. (See 1885, 158.)

The requirement of an examination by a justice is repealed. St. 1885, 186. (See 1884, 190.)

SECT. 3. Clerks provided in chief's office and their salaries fixed. St. 1890, 187; 1892, 249.

SECT. 5. Salaries fixed. St. 1887, 127; 1892, 128.

SECT. 10. Duties of inspectors extended. St. 1887, 218; 1888, 149 § 3, 316, 399, 426; 1891, 357; 1895, 136 § 3; 144, § 3. (See 1882, 266 § 6; 1885, 326; 1887, 219, 226; 1888, 207; 1890, 438; 1891, 261; 1893, 387.)

An appeal is given from certain orders of inspectors. St. 1890, 438; 1891, 261.

SECT. 11 is repealed. St. 1894, 481. (See 1886, 260 § 3; 1890, 83; 1893, 111.)

SECT. 13. Street railway police provided for. St. 1895, 318.

SECTS. 14, 16. An act relative to evidence of appointment of railroad and steamboat police. St. 1896, 225.

SECT. 15. Railroad police shall be sworn. Tenure of office regulated. St. 1883, 65. They are to be paid no witness fees in certain cases. St. 1890, 440 § 9.

Chapter 104. — Of the Inspection of Buildings.

An act to authorize the establishment of a building line on public ways. St. 1893, 462; 1896, 313.

The height of buildings in cities is restricted. St. 1891, 355. And on parkways and boulevards. St. 1896, 313.

SECTS. 1-14, 21, 22 and 24 are repealed and the erection and construction of buildings to be used for certain public purposes are regulated. St. 1894, 382, 481, 508. (See 1882, 208, 266; 1883, 173, 251; 1884, 52, 223; 1885, 326; 1886, 173; 1887, 103 § 3, 173, 218; 1888, 113, 207, 305, 316; 1890, 83, 179, 307, 438; 1892, 419; 1893, 111, 199, 387; 1894, 337, 341.)

Building law for Boston. St. 1892, 419; 1893, 170, 293, 297, 464; 1894, 257, 443; 1895, 97, 239, 280, 314; 1896, 416, 520. (See 1888, 316; 1893, 199.) Public lodging-houses in Boston regulated. St. 1894, 414. (See 1883, 251 § 2; 1888, 426; 1892, 410.)

SECTS. 4-12. Provision made for inspection and proceedings under these sections. St. 1888, 149, 316, 399, 426; 1890, 438; 1891, 261. (See 1892, 419.) And for inspection of certain steam boilers. St. 1895, 418. (See 1895, 471.)

SECT. 6. Provision for appointment of officers where there is no engineer. St. 1888, 399 § 4.

SECT. 8. Appeal given from orders of district police inspectors. St. 1890, 438; 1891, 261.

SECT. 12. Superior court given concurrent jurisdiction. St. 1891, 293.

SECTS. 13-24. In manufacturing establishments run by steam the engineer's room must, if required by inspector, have means to communicate with machinery rooms, and to control the power. St. 1886, 173; 1890, 179.

The placing of traversing machinery in cotton factories is regulated. St. 1896, 343.

SECT. 14. Extended to mercantile and public buildings. St. 1882, 208.

The use of elevators is further regulated. St. 1882, 208; 1883, 173; 1890, 90.

SECTS. 15-20 are repealed and the provisions for precautions against fire are revised and extended. St. 1882, 251; 1884, 223; 1888, 86, 426; 1894, 382. (See 1882, 266; 1884, 52; 1888, 207, 316, 399, 426; 1890, 307; 1892, 419; 1893, 199; 1894, 341; 1895, 418.)

SECT. 19. No inside or outside door of factory, etc., shall be fastened during working hours. St. 1884, 52.

SECT. 20. Theatres must have approved fire-resisting curtains. St. 1888, 426 § 1. (See 1888, 207.) Audience hall shall not be above second floor. St. 1894, 382.

Provision for securing proper sanitary precautions in school-houses, factories and workshops. St. 1894, 508. (See 1887, 103 § 3, 173, 218; 1888, 149, 305; 1891, 261.)

SECT. 23 is revised. St. 1887, 276. (See 1882, 266 § 4; 1887, 219; 1888, 426.)

SECT. 24 is made to apply to sections 16 to 21. St. 1882, 266 § 5.

Chapter 105.—Of Certain Powers, Duties and Liabilities of Corporations.

Change of name of corporations subject to provisions of chapters 106-119 provided for. St. 1891, 360; 1892, 198, 201. (See 1891, 257; 1895, 104; 1896, 523.)

Assuming name of another corporation, or a similar name, is restricted. St. 1891, 257. (See 1888, 413 § 27, 429 § 2.)

Conditions prescribed for foreign corporations doing business here. St. 1882, 106; 1883, 74; 1884, 330; 1886, 230; 1889, 393; 1890, 329; 1891, 341; 1894, 381, 476, 541; 1895, 157, 311; 1896, 391. (See 1887, 214 §§ 77-88, 91, 92; 1888, 321, 429 § 13; 1889, 356, 427, 452; 1890, 197, 199, 304, 310, 321; 1891, 275, 368, 403; 1892, 129; 1893, 303; 1894, 522 §§ 77-91; 1896, 286.)

Penalties for fraud of officers and stockholders extended to foreign corporations doing business here. St. 1895, 157. And liability for debts and contracts. St. 1896, 391.

Issuing obligations to be redeemed in numerical or arbitrary order of precedence, is prohibited. St. 1891, 382.

Provision for insolvency proceedings by or against certain foreign corporations. St. 1890, 321.

Safe deposit, loan and trust companies are subject to the duties, restrictions and liabilities set forth in this chapter. St. 1888, 413. (See 1887, 89; 1889, 342, 452; 1890, 315; 1892, 327; 1893, 111; 1894, 274; 1896, 423.)

SECTS. 14, 15 are repealed, but officers may be removed for previous violations of section 14. St. 1889, 222.

SECTS. 18, 19 are repealed, and the issue of stock or scrip dividends by certain corporations is prohibited. St. 1894, 350.

SECT. 20. Issue of new stock and bonds by certain quasi-public corporations regulated. St. 1894, 450, 452, 462, 472, 476, 501, 502.

SECT. 21. Stockholder may require list of stockholders filed in office of secretary of the Commonwealth. St. 1889, 222 § 3.

SECT. 24. No record is necessary for the transfer of stock. St. 1884, 229.

SECT. 28. See St. 1884, 268, 330; 1888, 321; 1889, 393; 1890, 321; 1894, 384.

SECT. 42. The time limit is stricken out. St. 1884, 203.

Chapter 106. — Of Manufacturing and Other Corporations.

Corporations created under this chapter may issue special stock, to be held by their employees only. St. 1886, 209.

Manufacturing corporations may support free beds in hospitals for use of their employees. St. 1889, 258.

SECTS. 3, 4, 51. Corporations governed by these sections may change their business under section 51. St. 1885, 310.

SECT. 6 *et seq.* Corporations to examine and guarantee titles of real estate are authorized and regulated. St. 1884, 180; 1887, 214 §§ 62, 63. And for the cremation of the dead. St. 1885, 265. (See 1886, 101, § 4; 1888, 306 § 2.)

SECTS. 7, 8, 13, 14. Par value of shares regulated. St. 1894, 500.

SECT. 11 extended to hydrostatic and pneumatic pressure for mechanical power. St. 1891, 189; 1893, 397.

SECTS. 11, 52, 75 extended to gas for heating, cooking, chemical and mechanical purposes. St. 1885, 240.

SECT. 13 extended to include buildings for manufacturing and mechanical purposes. St. 1888, 116.

SECT. 17. Method established for change of name of corporations subject to provisions of chapters 82, 106-119, and acts amendatory thereof. St. 1891, 360; 1892, 198, 201.

SECT. 26. Provisions as to treasurers' bonds. St. 1896, 346.

SECT. 27. Clause as to proxy or attorney casting more than fifty votes is repealed. St. 1888, 188. (See 1889, 222.)

SECT. 34 *et seq.* Increase of stock of certain quasi-public corporations regulated. St. 1894, 450, 452, 462, 472, 476, 501, 502. (See 1890, 371.)

SECTS. 39-41 are repealed. St. 1894, 472.

SECT. 50. Certain foreign corporations may hold real estate here. St. 1888, 321; 1895, 387. (See 1884, 330.)

SECTS. 51, 52. Gas companies may be authorized to furnish electric light and power. St. 1887, 385. (See 1885, 240.) Fee for filing certificate fixed. St. 1895, 169.

SECT. 54 extended to foreign corporations having usual places of business in this Commonwealth. St. 1891, 341; 1894, 541; 1895, 311.

SECTS. 54, 55, 59, 81, 82, 84. All corporations, with certain exceptions, are subject to these sections and must make the certificates and return therein required. St. 1887, 225; 1890, 199; 1891, 341; 1894, 541; 1895, 311; 1896, 369.

Any stockholder may require a list of stockholders to be filed. St. 1889, 222 § 3.

The certificates are deemed to be recorded by the act of filing. They are to be preserved in book form. St. 1890, 199.

SECTS. 60-71 apply to foreign corporations. St. 1896, 391.

SECTS. 62-71 apply to mortgage loan and investment, and safe deposit, loan and trust companies. St. 1888, 387 § 11, 413 § 14.

SECTS. 75, 76 amended. St. 1896, 544.

SECT. 75 *et seq.* A board of gas and electric light commissioners is established, and the business of the companies is regulated. St. 1885, 240, 314; 1886, 250, 346; 1887, 382, 385; 1888, 350, 428; 1889, 169, 373; 1890, 252; 1891, 370; 1892, 67, 259, 263, 274; 1893, 454; 1894, 182, 299, 316, 327, 432, 448, 450; 1895, 350, 420; 1896, 356, 473, 480. (See 1896, 426.)

Pneumatic pressure is included. St. 1896, 544.

SECT. 84. Fee for filing and recording certificates changed. St. 1895, 169; 1896, 523.

Chapter 107. — Of Swine Slaughtering Associations.

SECT. 2. is amended. St. 1886, 101 § 4.

Chapter 109. — Of Companies for the Transmission of Intelligence by Electricity.

This chapter, except sections 16 and 18, applies to lines for electric light. St. 1883, 221.

The erection and use of wires for telegraph, telephone and electric lighting are regulated. St. 1883, 221; 1884, 302, 306; 1885, 267, 380; 1887,

382, 385; 1889, 398, 434; 1890, 404; 1891, 370; 1892, 274; 1893, 274, 454; 1894, 182, 432; 1895, 228, 330, 350, 420; 1896, 356, 426, 473, 480. As to Boston, see 1894, 454; 1895, 228 § 2.

SECT. 4 amended. Abutters may have damages for erection or alteration of telegraph, telephone and electric light and power lines along highways. St. 1884, 306. (See 1884, 302.)

SECT. 7. At least half must be paid in in cash. St. 1893, 274.

New issue of stock and bonds regulated. St. 1890, 371; 1894, 450, 452, 472, 476; 1896, 473. (See 1894, 501.)

SECT. 10. Telephone companies must furnish service without discrimination. St. 1885, 267.

Telegraph companies are made liable to amount of \$100 for damages caused by negligence in transmitting messages. St. 1885, 380.

SECTS. 12, 15. Wires may not be put on another's property without his consent. St. 1884, 302. (See 1884, 306.)

Electric light or power companies are authorized to mortgage property to secure bonds. St. 1890, 371; 1894, 501.

SECT. 16. See St. 1895, 330.

Chapter 110. — Of Aqueduct Corporations.

Payment and returns of capital stock regulated. St. 1894, 380.

SECTS. 7, 8 are repealed and issue of stock and bonds regulated. St. 1894, 452, 472, 476.

Chapter 112. — Of Railroad Corporations and Railroads.

The operation of railroads by electricity is authorized. St. 1892, 110.

State inspection of tracks, equipment, etc., is provided for. St. 1894, 535.

Railroad corporations are required to issue mileage tickets which shall be accepted on all railroad lines in the State. St. 1892, 389.

The issuing of tickets free or at less than usual rates to members of the legislature, the executive, the judiciary and certain others is forbidden. St. 1892, 59.

Railroad companies may join relief societies of employees. St. 1886, 125. (See 1882, 244; 1887, 270 § 6; 1890, 181.)

Provision for elevated railways in and near Boston. St. 1894, 548, 550. (See 1890, 368.)

Provision for compensation for joint occupancy of stations and grounds. St. 1893, 142.

Conditional sales and leases of equipment and rolling stock are regulated. St. 1894, 326. Leases and consolidations must be approved by railroad commissioners. St. 1894, 506.

SECT. 9. Assistant clerk allowed. St. 1895, 313.

SECTS. 10-12. Salaries fixed: Clerk; St. 1885, 119. Assistant clerk; 1895, 313. Accountant; 1885, 164. Salaries are to be paid monthly. St. 1885, 224. Allowance made for books, maps and incidentals. St. 1890, 200. (See 1894, 535 § 8; 1896, 302.)

SECT. 14. Powers of the commissioners increased. St. 1882, 162, 265 § 1; 1883, 117; 1885, 110, 334; 1886, 120; 1888, 240; 1890, 382; 1891,

129, 204; 1892, 171, 228; 1893, 142, 210 § 2, 315; 1894, 41, 462, 469, 472, 502, 506, 535, 543; 1895, 136, 316, 362, 378. (See 1896, 409.)

SECTs. 21, 26. Returns and statements regulated. St. 1889, 328; 1893, 131. (See 1889, 241.)

SECT. 34. The commissioners must certify that public convenience and necessity require the construction, before organization of a railroad company under the general law. St. 1882, 265 § 1.

SECT. 38 *et seq.* No steam railroad may be located within three miles of the State House except on certain conditions. St. 1882, 265 § 4. (See 1884, 279.)

Railroad corporations may change their locations to improve the alignment of their roads. St. 1887, 430. (See 1882, 149; 1884, 134.)

SECT. 44. The proceedings are void unless certificate of incorporation is issued within one year from the time when the route is fixed. St. 1882, 265 § 2.

SECT. 54. Clause prohibiting the casting of more than fifty votes by a proxy or attorney is repealed. St. 1888, 188. (See 1889, 222.)

SECT. 56. Delivery of written transfer sufficient. St. 1884, 229.

SECTs. 58, 59, 60. Increase of capital stock regulated. St. 1893, 315; 1894, 462, 472, 502. (See 1894, 476.)

SECT. 62. The bonds may run fifty years. St. 1887, 191. (See 1883, 7.)

SECTs. 62-73. A purchaser under a valid foreclosure and his grantees and successors have the same powers and duties as the original corporation. St. 1886, 142.

SECTs. 63-70. Street railway companies may issue bonds, and these sections shall apply. St. 1889, 316; 1892, 192.

SECT. 81 *et seq.* Returns and statements regulated. St. 1889, 328; 1893, 131. (See 1889, 241.)

SECT. 82 is applied to street railway companies. St. 1892, 254.

SECT. 89. Time of notice to and filing of location by railroad corporations under St. 1878, 135 § 1, is changed. St. 1882, 149.

SECT. 91 is revised. Land may be taken outside of the location for one or more tracks, subject in some cases to certain conditions. St. 1884, 134. (See 1882, 149; 1887, 430.) Locations of lands purchased may be filed. St. 1895, 356; 1896, 78.

SECT. 115. The power to exempt from the duty to fence is transferred to the railroad commissioners. Proceedings to revoke exemptions regulated. St. 1882, 162.

SECT. 117 *et seq.* No right of way across any railroad track or location in use for railroad purposes shall be acquired by prescription. St. 1892, 275.

SECTs. 117-138. Wood which obstructs view at crossings may be cut. St. 1889, 371. These sections are not affected by St. 1891, 170.

Provision is made for the abolition of grade crossings. St. 1885, 194; 1887, 295; 1890, 428; 1891, 33, 123, 262; 1892, 312; 1893, 283, 424; 1894, 216, 545; 1895, 103, 426; 1896, 439. (See 1882, 135; 1891, 170 § 5; 1892, 178, 228; 1895, 491.)

Railroad companies must maintain crossings to give access to lands cut off by their road-beds. St. 1892, 171.

SECTS. 127, 169. The commissioners may forbid or regulate the occupation of street crossings. St. 1885, 110; 1890, 382; 1892, 228.

SECTS. 128, 148, 160. Provision is made for examination of railroad bridges. St. 1887, 334. And tracks, equipments, etc. St. 1894, 505.

SECTS. 129-132 amended. St. 1885, 194; 1887, 295. (See 1882, 135.)

SECTS. 129-134. P. S., ch. 51, applies to alterations of ways at railroad crossings. St. 1884, 280. (See St. 1890, 428 § 12.)

SECT. 131 amended. St. 1885, 194 § 4; 1887, 295.

SECT. 138. Appeal provided from decision of the county commissioners. St. 1882, 135. (See 1885, 194 § 6; 1890, 428 § 12; 1892, 171.)

SECT. 139. Clause forbidding branches within eight miles of the State House is stricken out. St. 1884, 279. (See 1882, 265 § 4.)

SECT. 148. Railroad drawbridges over Charles river regulated. St. 1889, 246; 1890, 118. (See 1887, 334.)

SECTS. 148-150. Extended to drawbridge over Fort Point channel in Boston. St. 1893, 357.

SECT. 159. Frogs, switches and guard rails must be blocked to the approval of the railroad commissioners. St. 1886, 120; 1894, 41.

SECT. 160. See St. 1887, 334.

SECT. 161. Provision made for interlocking or automatic signals at railroad crossings. St. 1885, 85.

SECT. 163 *et seq.* The commissioners may forbid or regulate locomotive whistles at highway crossings. St. 1885, 334. (See 1890, 173.) And may recommend changes in making up freight trains and sounding whistles. St. 1891, 204. (See 1891, 129.)

At least three separate and distinct blasts of the whistle are required at crossings. St. 1890, 173.

SECTS. 164-166. The railroad commissioners may require gates, flags or electric signals at highway crossings. St. 1883, 117; 1888, 240. And signals at crossings above grade. St. 1891, 129. (See 1892, 228.)

SECT. 169 is extended to receivers and assignees of railroad corporations. St. 1895, 173.

SECT. 170. Locomotive boilers must be tested. St. 1882, 73.

Certain safety appliances are required on freight cars. St. 1884, 222; 1895, 362. (See 1886, 242; 1894, 59.)

SECT. 171. Additional tools and safeguards against fire required. St. 1882, 54. (See 1887, 362; 1891, 249.)

SECT. 172. The heating of passenger cars is regulated. St. 1887, 362; 1891, 249.

SECT. 179. The requirement of an examination for color blindness every two years is repealed. St. 1883, 125.

SECT. 180. Interchangeable mileage tickets are required. St. 1892, 389. Extra fare paid on trains regulated. St. 1883, 32.

SECTS. 181-183. Railroad corporations shall not require women or children to ride in smoking cars. St. 1888, 176.

SECT. 188. Extended to freight charges. St. 1882, 225. (See 1882, 94.) And to express business on railroad and steamboat lines. St. 1894, 469.

SECTS. 192-194 are revised. St. 1893, 210.

SECT. 204. The maximum penalty for placing obstructions on railroad tracks is increased. St. 1890, 332.

SECT. 205. The unlawful use, removal or tampering with the tools, etc., required to be carried on passenger trains is made an offence. St. 1882, 54 § 2.

SECT. 206. See St. 1895, 318.

SECT. 207. Word "electric" stricken out. St. 1884, 5.

SECT. 212. Employees are included under this section. St. 1883, 243. They may sue for damages. St. 1887, 270; 1888, 155; 1892, 260; 1893, 359; 1894, 499. (See 1888, 365; 1889, 154; 1894, 469 § 8; 1895, 362 § 7; 1896, 302.)

An action of tort may be brought against street railway corporations for loss of life. St. 1886, 140.

SECT. 214 is amended. St. 1895, 293.

SECT. 216. See St. 1893, 142.

SECTS. 223, 224. When their consent is required the commissioners may regulate tracks at crossings by a railway for private use. St. 1890, 382.

Chapter 113. — Of Street Railway Companies.

Provision for extension of franchises of street railway companies. St. 1896, 501.

Provision for rapid transit in Boston and vicinity. St. 1893, 481; 1894, 548; 1895, 440; 1896, 492. (See 1890, 368; 1891, 365; 1892, 424; 1896, 516.)

This chapter applies to companies using the cable system. St. 1886, 337 § 4.

Liability for injuries regulated. St. 1886, 140; 1887, 270; 1888, 155; 1892, 260.

Street railway companies may issue mortgage bonds in certain cases and Pub. St., ch. 112 §§ 63-70, apply. St. 1889, 316; 1892, 192.

They may join relief societies of employees. St. 1890, 181. (See 1882, 244; 1886, 125; 1887, 270 § 6.)

May hold real estate for pleasure resorts in certain places. St. 1895, 316.

Conditional sales and leases of rolling stock regulated. St. 1894, 326. Leases and consolidations must be approved by railroad commissioners. St. 1894, 506.

SECT. 12. Clause as to proxy, etc., casting more than fifty votes repealed. St. 1889, 210. (See 1888, 188; 1889, 222.)

SECTS. 13-18. Further provisions made as to increase and reduction of capital stock. St. 1886, 337 § 3; 1887, 366; 1890, 326; 1894, 462, 472, 476, 543; 1895, 316 § 3; 1896, 409. (See 1893, 315.)

SECT. 15 amended. St. 1887, 366; 1896, 409.

SECT. 16 repealed. St. 1893, 315. But see St. 1894, 472 § 3.

SECT. 19 *et seq.* See St. 1890, 368; 1894, 548, 550.

SECT. 22 extended to Massachusetts highway commission. St. 1896, 541.

SECT. 27 *et seq.* Children under ten shall not be permitted to enter cars to sell newspapers, etc. St. 1889, 229.

Fenders and wheel guards provided for. St. 1895, 378. (See 1890, 364; 1891, 366.) And street railway police. St. 1895, 318.

SECT. 39. Cable system may be used. St. 1886, 337. (See 1887, 413 § 4; 1888, 278.) Electric system authorized in Boston. St. 1887, 413 § 4; 1890, 454 § 12. Meigs system may be used. St. 1890, 368; 1894, 548.

SECTS. 40, 41. Street railways shall not cross railroads at grade unless by consent of the railroad commissioners or special commissioners. St. 1895, 426. (See 1885, 110; 1890, 382; 1892, 228.)

SECT. 43. Railroad commissioners may require additional accommodations for the travelling public. St. 1891, 216. Shall require cars to be heated at certain times. St. 1895, 136.

SECT. 46 *et seq.* See 1887, 413; 1890, 454. Free transfer checks may not be discontinued without consent of railroad commissioners. St. 1894, 383.

SECT. 48 *et seq.* One company may not use tracks of another company unless authorized by the railroad commissioners. St. 1888, 278. (See 1886, 337 § 2; 1887, 413; 1894, 506; 1896, 501.)

SECT. 58. Companies are required to contribute to expense of printing and binding their annual returns. St. 1892, 254.

SECT. 63. Superior court given concurrent jurisdiction. St. 1891, 293.

Chapter 114.—Of Agricultural and Horticultural Societies.

Corporations organized under this chapter may be authorized to improve public grounds. St. 1885, 157.

Provision is made for a bounty for sugar from beets or sorghum cane. St. 1883, 189. And for bounties to chartered poultry associations. St. 1895, 351.

“Arbor day” established. Res. 1886, 32.

SECT. 1. The restriction is modified. St. 1890, 297.

An agricultural society receiving a bounty can sell or mortgage its real estate only on certain conditions. St. 1890, 274.

SECT. 2. Time of filing certificate changed. The board may require other returns. St. 1891, 124.

SECT. 20 *et seq.* Entering or driving a horse that is disguised or different from the one purported to be entered, etc., to compete for a purse or premium is punishable. St. 1892, 167.

Provision made for assignment of police officers at exhibitions. St. 1892, 180.

Registration of pedigrees of horses used for breeding purposes provided for. St. 1890, 334. (See 1887, 143.)

Chapter 115.—Of Associations for Charitable, Educational and Other Purposes.

Provision made for incorporation of labor and trade organizations. St. 1888, 134. (See 1892, 330.) And textile schools. St. 1895, 475.

And for formation of relief societies of railroad, steamboat and street railway employees, in which the companies may join. Their funds are not attachable. St. 1882, 244; 1886, 125; 1890, 181. (See 1887, 270 § 6.)

The consolidation of masonic mutual relief associations is authorized. St. 1887, 140.

The incorporation of clubs is regulated. St. 1890, 439; 1893, 226; 1894, 542. (See 1887, 206.)

No corporation organized for medical purposes under this chapter shall confer degrees. St. 1883, 268. (See 1893, 355.)

The provisions of this chapter apply to churches incorporated under St. 1887, 404.

SECTs. 2, 7. See St. 1896, 96.

SECT. 3. Increase of stock and par value of shares regulated. St. 1888, 177; 1890, 191. (See 1888, 429.)

SECTs. 3-5. Corporations may be formed for life and casualty insurance on the assessment plan. St. 1890, 421; 1892, 435; 1894, 367; 1895, 104, 281, 340. (See 1885, 183; 1887, 214 §§ 2, 3; 1888, 429.)

SECTs. 8-12 repealed, and law as to fraternal beneficiary organizations revised. St. 1894, 367; 1895, 104, 281, 340; 1896, 102, 136. (See 1882, 195; 1885, 183; 1887, 140, 214; 1888, 429; 1890, 341, 400, 421; 1891, 163; 1892, 40, 435; 1893, 47, 321, 418; 1894, 60, 328, 522 § 3.)

Chapter 116.—Of Savings Banks and Institutions for Savings.

This chapter is repealed and the laws relating to institutions for savings are revised and consolidated. St. 1894, 317; 1895, 164; 1896, 178, 193, 231, 327, 361. (See 1882, 50, 77, 148, 200; 1883, 52, 127, 134, 248, 258; 1884, 72, 150, 168, 253; 1885, 92, 111, 124, 210, 348; 1886, 69, 77, 93, 176, 252, 300; 1887, 113, 196, 319; 1888, 40, 51, 53, 90, 96, 120, 127, 170, 213, 250 § 2, 301 § 6, 355; 1889, 77, 86, 88, 91, 161, 180, 305, 321, 449, 452; 1890, 44, 168, 222, 298, 330, 369, 394, 406; 1891, 171, 403; 1892, 248; 1893, 174, 230, 254; 1896, 171.)

Provisions as to bonds of officers and employees. St. 1896, 361.

Additional expert and clerical assistance provided for. St. 1885, 66.

Chapter 117.—Of Co-operative Savings Fund and Loan Associations.

The title of this chapter and name of associations changed to "Co-operative Banks." St. 1883, 98.

The business of co-operative banking is regulated. St. 1882, 251; 1883, 98; 1885, 121; 1887, 216; 1889, 159, 452; 1890, 63, 243, 310; 1891, 403; 1894, 342; 1895, 171, 172; 1896, 277, 285, 286, 327, 361.

The business may not be carried on here in name of a co-operative bank unless incorporated here. St. 1889, 452; 1896, 286. (See 1890, 310; 1891, 403.)

Provisions as to bonds of officers and employees. St. 1896, 361.

The capital stock, corporate franchise and personal estate of co-operative banks are exempted from taxation. St. 1890, 63.

SECT. 1. The consent of the savings bank commissioners is required for the formation of co-operative banks. St. 1890, 243.

SECT. 5. Co-operative banks must provide a guaranty fund. St. 1885, 121 § 2.

The limit of capital refers to the capital paid in on shares. St. 1887, 216 § 1.

SECT. 6. One person may be secretary and treasurer. St. 1885, 121 § 1.

SECT. 8. The mode of retiring shares is determined and their value. St. 1887, 216 § 2. (See 1882, 251.)

SECT. 9. Before payment of matured shares, arrears and fines are to be deducted. St. 1882, 251 § 1. Interest is allowed for all full months from last adjustment. St. 1887, 216 § 5.

SECT. 10 is revised. St. 1896, 277. Interest may be bid instead of a premium. St. 1882, 251 § 2.

Directors may loan money on shares of the corporation. St. 1890, 78.

SECT. 13 is amended and new provisions made as to the security. St. 1889, 159 § 1; 1894, 342. (See 1896, 277.)

SECT. 14. Provision for partial payments. St. 1887, 216 § 4.

SECT. 15. Fines limited. St. 1895, 172. Withdrawal value to be ascertained at time of forfeiture, instead of time of default. St. 1896, 285.

SECT. 16 is revised. St. 1882, 251 § 1; 1885, 121 § 4.

SECT. 17. As to officers' bonds, see St. 1896, 361.

SECT. 18. See 1885, 121 § 2.

SECT. 20. See 1891, 403; 1896, 286.

Chapter 118.—Of Banks and Banking.

Foreign banking corporations doing business here shall indicate on their signs, letter heads, etc., the name of the State or country in which they are chartered. St. 1890, 329.

The incorporation and conduct of safe deposit, loan and trust companies are regulated. St. 1887, 89; 1888, 413; 1889, 442, 452; 1890, 315, 329; 1892, 327; 1893, 114; 1896, 423. (See 1896, 361.)

And of mortgage loan and investment companies. St. 1884, 380, 1888, 387; 1889, 427, 452; 1890, 329; 1891, 233, 275, 341; 1893, 303; 1895, 311.

A commissioner of foreign mortgage corporations is established. St. 1889, 427; 1891, 275; 1893, 303.

Time of presentment of bills and notes regulated. St. 1894, 333; 1896, 496.

SECT. 30 *et seq.* Banking hours on Saturdays regulated. St. 1895, 201.

Chapter 119.—Of Insurance Companies and Insurance.

This chapter is repealed and the insurance laws revised and codified. St. 1894, 522; 1895, 46, 59, 81, 104, 159, 190, 263, 271, 366, 474; 1896, 124, 126, 137, 140, 171, 253, 290, 335, 402, 447, 448, 470, 515. (See 1882, 195; 1883, 33, 107, 126, 235, 258; 1884, 55, 58, 119, 120, 177, 178, 180, 217, 235, 296; 1885, 183, 241, 300, 308, 354; 1886, 187, 222; 1887, 214, 283; 1888, 84, 141, 151, 154, 165; 1889, 356, 378; 1890, 26, 304; 1891, 195, 233, 289, 291, 368, 382; 1892, 47, 372; 1893, 54, 117, 224, 434; 1894, 19, 103, 120, 133, 137, 147, 225, 300, 381, 442; 1896, 178.)

Standard form of fire policy. St. 1894, 522 § 60; 1895, 59 §§ 3, 4. (See 1896, 140.)

Employment of an actuary authorized. St. 1895, 81. And an examiner. St. 1896, 335.

Certain veterans exempted from payment of fees for certificate to act as insurance broker. St. 1895, 159.

No life policy shall be issued without previous examination by a registered physician. St. 1895, 366. (See 1894, 522 §§ 68-73.)

Disposal of certain unclaimed funds of insolvent companies regulated. St. 1890, 330. (See 1883, 258; 1886, 300.)

Agents of domestic companies must be registered. St. 1895, 46.

SECT. 2. Salary of insurance commissioner established. St. 1890, 247.

SECTS. 21, 38, 167. Moneys to be paid by life or casualty insurance companies doing business on the assessment plan are made not attachable. St. 1890, 421 § 23. (See 1885, 183 § 11; 1887, 214 § 73; 1892, 372.)

SECTS. 117 to 130 apply to existing mutual marine and fire and marine companies. St. 1894, 522 § 53.

SECT. 145. Life and casualty insurance on the assessment plan is regulated. St. 1890, 421; 1892, 435; 1896, 515. (See 1885, 183.)

The organization and business of fraternal beneficiary associations are regulated. St. 1894, 367; 1895, 104, 281, 340; 1896, 102, 136. (See 1882, 195; 1885, 183; 1887, 140, 214; 1888, 429; 1890, 341, 400, 421 § 1; 1891, 163, 233, 360; 1892, 40, 201, 435; 1893, 47, 321, 418; 1894, 60, 328, 522 § 3.)

Chapter 120.—Of the Alienation of Real Estate.

SECT. 1 *et seq.* The recording of an instrument affecting title is made conclusive evidence of delivery. St. 1892, 256.

Form of execution and acknowledgment of deeds, etc., established. St. 1894, 253; 1895, 460.

A conveyance otherwise valid shall be effectual notwithstanding disseizin or adverse possession. St. 1891, 354.

SECT. 4. Office copies of records may be recorded in another county or district where part of the land lies. St. 1889, 448.

A mortgage is declared invalid against an assignee in insolvency in certain cases. St. 1888, 393.

SECT. 6. Authority of magistrates out of the State must be properly certified to. St. 1894, 253 § 3.

SECT. 15. Provision for construction of words importing a want or failure of issue. St. 1888, 273.

SECT. 19 *et seq.* Sale of estate subject to vested remainder may be authorized. St. 1895, 183.

Additional provisions for appointment of guardians *ad litem* or next friends of persons under disability, or not ascertained. St. 1896, 456.

Chapter 122.—Of Easements.

No right of way across a railroad location in use for railroad purposes shall be acquired by prescription. St. 1892, 275.

Chapter 124.—Of the Rights of a Husband in the Real Estate of his Deceased Wife, and the Rights of a Wife in that of her Deceased Husband.

SECT. 1. Words "If his wife does not otherwise provide by will," in sixth and seventh lines, and word "intestate," in eighth line, stricken out. St. 1885, 255; 1887, 290.

SECT. 17 is amended. St. 1889, 234; 1894, 170.

Chapter 125. — Of the Descent of Real Estate.

SECTS. 3-5. See St. 1895, 427.

SECT. 4. If the mother also is dead, the estate descends to the persons entitled by inheritance through her. St. 1882, 132.

Chapter 126. — General Provisions concerning Real Estate.

Conditions or restrictions affecting title or use of real estate, unlimited as to time, shall be construed as limited to thirty years, except in certain cases. St. 1887, 418.

Provision made for proceedings to determine validity, nature and extent of certain conditions, restrictions, etc., on real estate. St. 1889, 442; 1890, 427. (See 1882, 237; 1885, 283.)

Construction placed on words importing want or failure of issue. St. 1888, 273.

SECTS. 5, 6. A conveyance or devise to a husband and wife creates a tenancy in common unless otherwise expressed. St. 1885, 237.

SECT. 13 extended to judgments and decrees. St. 1892, 289.

Chapter 127. — Of Wills.

SECT. 7. See St. 1889, 435.

SECT. 8. Marriage shall act as a revocation, except in certain cases. St. 1892, 118.

SECT. 26. See St. 1891, 354.

SECT. 33. See St. 1883, 223.

SECT. 34 repealed so far as it applies to probate courts. St. 1891, 415.

Chapter 129. — Of the Probate of Wills and the Appointment of Executors.

The probate of a will is made conclusive in certain cases after two years. St. 1889, 435.

SECTS. 1, 2. Petitions for probate must be sworn to by petitioner. St. 1891, 414.

SECT. 5. See St. 1893, 379, as to Suffolk county.

Chapter 130. — Of the Appointment of Administrators.

SECTS. 1, 2. Petitions for letters testamentary must be sworn to by petitioner. St. 1891, 414.

Provisions made for granting administration without notice in certain cases. St. 1885, 260. And to any suitable person. St. 1890, 265.

A decree of intestacy is made conclusive in certain cases after two years. St. 1889, 435.

SECTS. 2, 8. Administrators may be allowed to give bond without sureties in certain cases. Failure to give a new bond when required shall be considered a resignation. St. 1885, 274. (See 1893, 379.)

SECT. 4. Administration may be granted for cause upon particular property more than twenty years after the person's death. St. 1889, 192. (See 1885, 242.)

SECT. 9. Administrator de bonis may be appointed to distribute unclaimed funds. St. 1890, 408 § 2.

SECTS. 10-17. Special administrator may be allowed to pay expenses of executor in proving the will. St. 1884, 291. (See 1884, 181.)

Chapter 131.—Of Public Administrators.

SECT. 18. Time for presenting claims under this section limited. St. 1883, 264.

Chapter 132.—General Provisions relative to Executors and Administrators.

Probate courts given jurisdiction in equity in administration of estates of deceased persons. Proceedings regulated. St. 1891, 415.

SECTS. 1-4. Provisions as to the proof of notice are revised. St. 1888, 148, 380; 1889, 315. (See 1888, 420.)

SECT. 6. One appraiser may be appointed when property is of small value. St. 1896, 210.

SECTS. 8, 13. No foreign executor or administrator shall receive his letter until the appointment of resident agent is properly made. St. 1893, 118. (See 1890, 420.)

Chapter 134.—Of Sales and Mortgages of Real Estate by Executors and Administrators.

Executors and administrators may be licensed to sell at private sale. St. 1886, 137.

Real estate appraised at \$1,500 or less may be sold for purposes of distribution. St. 1890, 266.

SECT. 13. Change in method of proof of notice. St. 1888, 148, 380; 1889, 315. (See 1888, 420.)

SECT. 19 extended to intestate estates. St. 1895, 140.

Chapter 135.—Of Allowances to Widows and Children and of the Distribution of the Estates of Intestates.

SECT. 3, cl. 3. When a married woman dies leaving issue, the husband is entitled to one-half of the personal estate. St. 1882, 141.

CL. 5. If intestate leaves a widow and no kindred, the widow is entitled to the whole of the residue. St. 1885, 276.

Chapter 136.—Of the Payment of Debts, Legacies and Distributive Shares.

Certain payments made without order of court may be afterwards approved. St. 1894, 303.

Provision made for a State tax of five per cent. on collateral legacies and successions, and on grants to take effect after death of grantor in estates exceeding \$10,000. St. 1891, 425; 1892, 379; 1893, 432; 1895, 307, 430.

SECT. 19 *et seq.* Where a legatee is a minor without a guardian, court may order the legacy to be deposited in a savings bank under P. S., ch. 144 § 16. St. 1889, 185.

Real estate appraised at \$1,500 or less may be sold for distribution. St. 1890, 266.

Distribution of unclaimed funds may be ordered by the court in certain cases. St. 1890, 408. And of legacies. St. 1895, 134.

Chapter 139. — Of Guardianships.

Additional provisions for appointment of guardians or next friends. St. 1896, 456.

SECTS. 1-3. Certain corporations are authorized to be guardians of minors. St. 1885, 362; 1890, 117.

SECTS. 2-4. The probate court may require parents to contribute to support of their minor children under guardianship. St. 1891, 358.

SECT. 16 is extended to married women who are minors. St. 1890, 259.

SECT. 29 *et seq.* Guardians residing out of the State must appoint an agent here. P. S., 132 §§ 11-13, apply to them. St. 1889, 462; 1893, 118. (See 1890, 420; 1894, 128.)

Chapter 140. — Of Sales and Mortgages of Real Estate by Guardians.

SECT. 3. Guardian may be licensed to lease the ward's real estate. St. 1894, 128.

SECT. 18 is extended to any interest in real estate. St. 1885, 258.

Chapter 141. — Of Trusts.

Probate courts have jurisdiction in equity over trusts created by will. St. 1891, 415.

SECTS. 4-11. Foreign trustees must have an agent here. The provisions of P. S., ch. 132 §§ 11-13, apply. St. 1889, 462; 1893, 118. (See 1890, 420.)

SECT. 16 is revised. Trustee may be exempted from furnishing surety on request of parties interested. St. 1891, 339.

SECT. 21. See St. 1896, 456.

SECT. 23 is extended to other improvements. St. 1889, 66.

SECT. 27 is extended to trusts created under any written instrument. St. 1892, 116.

Chapter 142. — General Provisions relative to Sales, Mortgages, Releases, Compromises, etc., by Executors, Administrators, Guardians and Trustees.

A foreign guardian or trustee must have an agent here. P. S., ch. 132 §§ 11-13, apply. St. 1889, 462; 1893, 118. (See 1890, 420; 1894, 128.)

SECT. 12. See St. 1893, 379.

SECT. 14 is extended to administrators with the will annexed. Those claiming as legatees or devisees whose interests are affected are to be made parties. St. 1889, 266.

SECT. 23 is extended. Defective acts or proceedings may be ratified or confirmed. St. 1888, 420.

Provision in case of failure to prove notice of sale. St. 1889, 315. (See 1888, 148.)

Chapter 143.—General Provisions relative to Bonds of Executors, Administrators, Guardians and Trustees.

Fidelity insurance companies may act as sureties. St. 1894, 522 §§ 29, 61. (See 1884, 296; 1885, 241; 1886, 233; 1887, 214 §§ 29, 61; 1893, 117.)

SECT. 10 *et seq.* Wife of a judge of probate may be defendant in a suit on a bond given to him or his predecessor as such judge. St. 1896, 208.

SECT. 23. See St. 1893, 396 § 14.

Chapter 144.—Of the Accounts and Settlements of Executors, Administrators, Guardians and Trustees.

Certain payments made without order of the court may be approved. St. 1894, 303.

Form of accounts regulated. St. 1895, 210.

SECT. 8. Money paid with the approval of the judge for procuring surety on the bond may be allowed. St. 1886, 233. (See 1887, 214 §§ 29, 61.)

Bequests to executors in excess of a reasonable compensation are liable to the State legacy tax. St. 1891, 425 § 3.

SECTS. 13, 14 are revised. St. 1895, 288. (See 1889, 466.)

SECT. 16. Legacies to persons whose residence is unknown, and to minors without guardians, may be deposited. St. 1885, 376; 1889, 185. (See 1893, 379.) Also property of an absent person whose residence is unknown in certain cases. St. 1894, 203.

The amount which may be deposited and draw interest is not limited. St. 1889, 86, 449.

Provision is made for final distribution of deposits by the probate court in certain cases. St. 1889, 449 § 2; 1890, 408.

SECTS. 17, 18. Provision for guardians *ad litem* or next friends in certain cases. St. 1896, 456.

Chapter 145.—Of Marriage.

SECTS. 4, 14. Marriages made in good faith, one of the parties believing that a former husband or wife is dead or divorced, are made valid when the impediment is removed and the children are legitimate. St. 1895, 427; 1896, 499.

SECT. 11 is extended to residence here for five years unless libellant removed here for the purpose. St. 1886, 36.

SECTS. 11, 15. The superior court has exclusive original jurisdiction under these sections. St. 1887, 332.

SECT. 16. The marriage of minors is regulated. St. 1894, 401, 409 § 4. Additional provisions relative to notices and certificates. St. 1894, 409.

SECTS. 22, 27. Duly authorized clergymen and licensed and certified Israelitish rabbis may solemnize marriages anywhere in the State. St. 1894, 409 § 5; 1896, 306 § 4. (See 1893, 461.)

SECT. 24. The returns shall be preserved and arranged for reference. St. 1887, 202 § 3.

Change made in form of record and returns. St. 1892, 300.

SECTS. 25, 26 are revised. St. 1896, 306.

SECT. 31. See St. 1896, 445.

Chapter 146. — Of Divorce.

Provision is made for returns of statistics of divorce. St. 1882, 194.

The superior court has exclusive original jurisdiction of all cases of divorce and nullity and validity of marriages. St. 1887, 332.

SECT. 1. Divorce may be decreed for gross and confirmed drunkenness caused by the use of opium or other drugs. St. 1889, 447. And for any legal cause, notwithstanding an absence which would raise a presumption of death. St. 1884, 219.

SECT. 10. When adultery is charged the alleged *particeps criminis* may contest. St. 1890, 370.

SECT. 19. All decrees shall become absolute after six months unless court has otherwise ordered. St. 1893, 280. (See 1882, 223 ; 1893, 194.)

SECTS. 42-44. Procuring a fraudulent divorce; advertising, by one not a member of the bar, the business of procuring divorces; and unlawfully issuing certificates of divorce, are made offences. St. 1886, 342 ; 1887, 320 ; 1891, 59.

Chapter 147. — Of Certain Rights and Liabilities of Husband and Wife.

A wife has right of interment in any tomb or lot which her husband owned during coverture. St. 1883, 262. (See 1885, 302 ; 1892, 165.)

SECT. 1. A wife cannot, without his written consent, destroy or impair her husband's life estate in one-half her lands where there is no issue. St. 1889, 204. (See 1884, 301 ; 1885, 255 ; 1887, 290.)

SECT. 3 is revised. Nothing contained in the preceding section shall authorize such transfer. St. 1884, 132.

SECT. 6 extended to the case where there is no issue, and exception is made if the wife is living apart for cause approved by the court. St. 1885, 255 ; 1887, 290. (See 1884, 301.)

SECT. 16 *et seq.* Provision is made for a release of the curtesy by the guardian of an insane husband. St. 1886, 245.

SECT. 20. The notice shall be such as the court may order. St. 1890, 105.

SECTS. 31-33, 36. The probate court has exclusive original jurisdiction under these sections and the appeal is to the superior court. St. 1887, 332 §§ 2, 3. (See 1882, 270 ; 1884, 210 ; 1885, 176 ; 1888, 290 ; 1893, 262 ; 1895, 116.)

Provision for receivers of estates of absent persons whose address is unknown, having a wife or child dependent on them for support. St. 1894, 203.

SECT. 36. Probate courts may require parents to contribute to support of children under guardianship. St. 1891, 358.

Chapter 148. — Of the Adoption of Children and the Change of Names.

Adoption of pauper and illegitimate children regulated. St. 1891, 194 ; 1892, 318. (See 1882, 270 ; 1889, 309, 416.)

SECT. 3 is amended. St. 1886, 101 § 4.

SECTS. 12-14. A list of names changed, ordered published. St. 1884, 249 ; 1893, 191.

Chapter 150.—Of the Supreme Judicial Court.

The care and custody of the Suffolk county court house is given to the justices of the supreme judicial court. St. 1894, 453.

SECT. 5. See St. 1892, 435.

Exclusive original jurisdiction is given to the superior court in cases of divorce and nullity of marriages. St. 1887, 332 § 1. Of capital crimes. St. 1891, 379. And of petitions for partition and writs of entry. St. 1892, 169.

Appeals on petitions under sections 31-33 and 36 of chapter 147 are to superior court. St. 1887, 334 § 3. (See 1888, 290.)

SECT. 7. Questions for the full court may be heard in any county. St. 1892, 127.

SECT. 14. Further provisions in cases of frivolous appeals and exceptions. St. 1883, 223 § 15.

SECT. 16. When appeal or exceptions are not entered, the court below may affirm the judgment. St. 1888, 94. (See 1882, 239; 1895, 153; 1896, 451.)

SECTS. 18-20, 24, 26-29 repealed. St. 1891, 379. (See St. 1893, 394.)

SECTS. 21, 22, 23 and 25 are repealed. St. 1886, 339. (See 1891, 379.)

SECT. 30 *et seq.* Terms are abolished, return days changed and practice further regulated. St. 1885, 384; 1886, 223; 1887, 383; 1890, 374, 420 § 2; 1892, 127, 169; 1893, 61. (See 1883, 223; 1884, 316.)

The law term for Worcester is changed. St. 1885, 48. And for Bristol, Dukes and Nantucket. St. 1891, 287.

SECT. 39. Salaries fixed and allowance made for travelling expenses. St. 1892, 104. (See 1888, 274 § 1; 1892, 59; 1893, 327.)

Pensions are provided for. St. 1885, 162. And clerical assistance. St. 1891, 89. (See 1893, 327.)

Chapter 151.—Of the Supreme Judicial Court Equity Jurisdiction.

The equity jurisdiction is extended. St. 1884, 285; 1887, 380; 1891, 383; 1892, 435.

SECT. 2, cl. 11. See St. 1884, 285; 1887, 214 § 73.

SECTS. 5-7. Practice regulated and forms established. St. 1883, 223; 1884, 316; 1885, 384; 1887, 383; 1893, 61. (See 1892, 289, 440; 1896, 426.)

SECT. 23. See St. 1885, 384 § 3; 1886, 223; 1892, 127; 1896, 413.

SECT. 27 amended. St. 1895, 116. (See St. 1883, 223 § 16.)

Chapter 152.—Of the Superior Court.

SECT. 1. The number of justices is increased. St. 1896, 526. (See 1886, 31; 1888, 58; 1892, 271.)

SECT. 2. Provision for sessions by two or more justices in capital cases. St. 1894, 204. (See 1891, 379.) And without a jury in certain actions at law. St. 1891, 227.

SECTS. 3-6. Jurisdiction is given in equity and practice regulated. St. 1883, 223; 1884, 304, 316; 1885, 384; 1887, 332, 380, 383; 1890, 154,

374; 1891, 227, 362, 388; 1892, 435, 440; 1893, 61; 1895, 116. (See 1882, 239; 1887, 246; 1890, 398; 1896, 413, 426.)

Separate equity docket required in Middlesex and Suffolk. St. 1892, 440.

Exclusive original jurisdiction given in causes of divorce and nullity of marriage. St. 1887, 332 § 1. (See 1894, 409 § 7; 1895, 116.) And of capital crimes. St. 1891, 379; 1894, 204. (See St. 1893, 324, 365, 394.) And of petitions for partition and writs of entry. St. 1892, 169.

Jurisdiction is given of certain appeals from the probate courts. St. 1887, 332 § 3. (See 1888, 290; 1895, 116.) And of claims against the Commonwealth. St. 1887, 246.

SECTS. 7, 8. The right to remove actions and petitions for partition under these sections is taken away. St. 1892, 169. (See 1885, 384 § 14.)

SECT. 11 repealed. St. 1892, 105.

SECT. 17. Changes in sessions: Barnstable; St. 1891, 175. Bristol; 1888, 314; 1891, 287 § 2. Dukes; 1889, 308. Essex; 1896, 412. (See 1885, 191; 1889, 461; 1895, 256.) Franklin; 1889, 327. Hampden; 1885, 27. Middlesex; 1892, 391. Norfolk; 1889, 287. Worcester; 1894, 118, 169.

Provision for speedy trials in Suffolk in certain cases. St. 1894, 283, 547.

SECT. 18. Changes in adjourned sessions: Essex; St. 1889, 461. Plymouth; 1885, 134.

Terms are abolished and return days changed. St. 1885, 384.

Petitions for damages for land taken by any town in Nantucket or Dukes may be brought in Bristol. St. 1887, 50. (See 1885, 384 § 1.)

SECT. 24 is repealed. St. 1887, 183.

SECT. 28. Provision made for pensions. St. 1887, 420.

Salaries are fixed and allowance made for travelling expenses. St. 1892, 328. (See 1882, 205; 1888, 274; 1892, 59.)

Chapter 153.—Of Matters Common to the Supreme Judicial Court and the Superior Court.

Justice may order clerk to issue processes in cases pending in another county. 1886, 223. (See 1896, 413.)

SECT. 3. See St. 1886, 224.

SECT. 4. The superior court may regulate publication and distribution of trial lists. St. 1896, 401. (See 1889, 459; 1896, 413.)

Provision made for agreements to postpone, etc., cases on the trial lists. St. 1884, 304; 1890, 154. (See 1889, 459; 1890, 420, 451.)

SECTS. 6-8. See St. 1891, 227.

SECT. 8. Time for filing exceptions extended. Presiding justice may require a transcript of the evidence and instructions to the jury. St. 1895, 153; 1896, 451. (See 1888, 94.)

SECTS. 10, 13. Provisions for proving exceptions when the disability or death of the justice prevents his signing them. St. 1894, 412. (See 1882, 239.)

SECT. 12 repealed. St. 1895, 469 § 4. (See 1891, 362.)

SECT. 15. Clerks shall furnish to the attorney-general printed copies of exceptions and reports in cases in which the Commonwealth is interested. St. 1890, 374. Or in which the attorney-general appears for the Commonwealth. St. 1895, 372.

SECT. 22. See St. 1896, 413.

SECT. 23. The original vouchers or bills must be delivered with the orders. St. 1890, 206. (See 1890, 204.)

Chapter 154.—Of the Police, District and Municipal Courts.

The laws relating to district and police courts are revised and consolidated. St. 1893, 396; 1894, 142, 173, 398, 431; 1895, 245; 1896, 220. (See 1882, 95; 1884, 188; 1885, 45, 132, 149, 322; 1887, 293; 1888, 180, 285, 352, 415; 1890, 225, 256, 359, 440 § 10; 1892, 148, 268; 1893, 385.)

Provision made for hearings before all the justices. St. 1894, 173; 1896, 220.

Payment of interpreters and of witnesses from without the Commonwealth allowed in criminal cases. St. 1893, 385.

SECTS. 1, 2. Police and district courts are established, as follows: First and second, of Barnstable; St. 1890, 177. Fourth, Berkshire; St. 1895, 176. Brockton; St. 1885, 155. Brookline; St. 1882, 233. East Boston, district; St. 1886, 15. Second, Essex; St. 1888, 193. Franklin; St. 1896, 353. Western Hampden; St. 1886, 190. Hampshire; St. 1882, 227. Marlborough; St. 1882, 233. Third and fourth, eastern Middlesex; St. 1882, 233. Southern Norfolk; St. 1891, 273. First, northern Worcester; St. 1884, 215.

SECT. 2. Courts abolished: East Boston, municipal; St. 1886, 15. Cambridge, police; St. 1882, 233. First, Plymouth; St. 1885, 155.

Judicial districts changed: Northern Berkshire; St. 1895, 176. Brockton; St. 1887, 322. East Boston; 1882, 146. (See 1886, 15.) Gloucester; 1888, 249; First, eastern Middlesex; 1888, 59. Fourth, eastern Middlesex; 1888, 59; 1889, 312. First, southern Middlesex; 1882, 169. Central and second, eastern Worcester. St. 1896, 240.

SECTS. 4, 25. See St. 1882, 43; 1885, 132; 1893, 396 § 63.

SECTS. 5, 6. Clerks given: First, Berkshire; St. 1895, 176. Southern Berkshire; St. 1886, 333. (See 1884, 231.) Brookline; 1888, 60. Chelsea; 1882, 176. Chicopee; 1891, 78. Eastern Hampden; 1896, 337. Hampshire; 1883, 80. Lowell (assistant); 1889, 152. Second, eastern Middlesex; 1883, 97.

Clerical assistance allowed: Second, Bristol; St. 1889, 62. Lowell; St. 1888, 246; 1889, 152. First, eastern Middlesex; St. 1889, 317. Third, eastern Middlesex; 1893, 370. Springfield; 1896, 331. Central Worcester; 1895, 260.

Clerks and justices of courts having no clerks must deposit public moneys beyond what is required for immediate use. St. 1890, 215. (See 1890, 204.)

SECT. 8. See St. 1888, 352; 1893, 396 § 67.

SECT. 11. See St. 1885, 149, 322; 1887, 293; 1892, 188 § 5; 1893, 172 § 4; 1893, 396 §§ 34-43.

Jurisdiction given in naturalization proceedings. St. 1885, 345; 1886, 45, 203; 1891, 180, 419; 1892, 348.

SECTS. 11-22. See St. 1893, 396 §§ 12, 34-43.

SECT. 23. Sessions changed: Northern Berkshire; St. 1884, 266. Hampshire; St. 1883, 75; 1889, 122. (See 1882, 227; 1883, 80.) First, eastern Middlesex; St. 1893, 350. Northern Worcester; 1888, 212.

SECTS. 23, 25. See St. 1884, 188; 1893, 396 § 56.

SECT. 24 extended. Certification and audit of expenses regulated. St. 1890, 440 § 11; 1891, 70. (See 1893, 396 § 9.)

SECT. 25. See St. 1892, 268; 1893, 396 § 55.

SECT. 26. Travelling expenses allowed to special justice in Hampshire. St. 1884, 205. (See 1885, 40.)

SECT. 27 *et seq.* See St. 1886, 13; 1888, 285, 415; 1890, 359; 1893, 396 §§ 46, 59, 64.

SECT. 30. Fac-simile of clerk's signature may be used on certain processes. St. 1886, 13. (See 1885, 321; 1893, 396 § 64.)

SECTS. 34, 35. A controller of accounts is provided for, and method of accounting regulated. St. 1887, 438; 1888, 275; 1890, 204, 216, 380. 440; 1893, 257, 270; 1894, 183; 1895, 143; 1896, 128. (See 1886, 169.)

Funds not required for immediate use must be deposited. St. 1890, 215.

Apportionment of fines to informers in certain cases. St. 1891, 416. (See 1890, 440 § 5.)

SECT. 36. Payment of witness fees regulated. St. 1888, 180; 1890, 440 § 8; 1891, 392; 1893, 396 § 9. (See 1893, 385.)

SECT. 37. Fees and costs are regulated in certain cases. St. 1890, 256, 353, 440; 1891, 70, 325; 1892, 200. (See 1892, 231, 268; 1893, 385.)

SECT. 38. No court fees shall be allowed or taxed in criminal cases. St. 1890, 256. Bond to be examined annually by controller of county accounts. St. 1893, 257.

SECT. 39 *et seq.* Appeals regulated. St. 1893, 396 §§ 24-32. (See 1882, 95; 1890, 224, 440 § 10.)

SECT. 42 *et seq.* The justices may act for each other in certain cases. St. 1882, 43. (See 1885, 132.) May sentence or commit to house of industry instead of to house of correction or jail. St. 1895, 224.

St. 1893, 396, applies to these courts, except the municipal court. St. 1894, 431. (See 1894, 142, 173, 398.)

The municipal court of East Boston is abolished, and East Boston district court established. St. 1886, 15. (See 1882, 146.)

Clerks and clerical assistance provided for: East Boston; St. 1886, 15. South Boston; 1887, 327. Brighton; 1894, 363. Charlestown; 1889, 206. Dorchester; 1885, 79. West Roxbury; 1887, 274.

SECT. 55. Number of justices increased. St. 1882, 41; 1888, 419 § 11; 1894, 308; 1896, 234.

SECT. 57. Two special justices. St. 1896, 234.

SECT. 58. Assistant clerks and clerical assistance provided for. St. 1883, 47; 1885, 42 § 2, 137 § 2; 1888, 419 § 13; 1889, 170; 1893, 371; 1895, 125.

SECTS. 59, 60. Jurisdiction extended. St. 1894, 431 § 2.

SECT. 62. Additional sessions by special justice provided for. St. 1885, 42 § 1. When he acts he must state in the record the fact which gives him jurisdiction. St. 1892, 268.

SECT. 63 revised. St. 1895, 457.

SECT. 64. Salaries of justices fixed: First and second Barnstable; St. 1890, 177. Central Berkshire; 1887, 190. Northern Berkshire; 1887, 61. (See 1884, 266 § 3.) Southern Berkshire; 1884, 231. Boston; 1887, 163. (See 1882, 41 § 2.) East Boston; 1892, 100. (See 1886, 15.) South Boston; 1889, 242. Brighton; 1885, 49. First Bristol; 1889, 261. (See 1884, 220.) Second Bristol; 1891, 108. Third Bristol; 1889, 54. Brockton; 1885, 155. Brookline; 1884, 211. (See 1882, 233 § 6.) Charlestown; 1891, 160. (See 1889, 227.) Chelsea; 1894, 470. Dorchester; 1885, 79. First Essex; 1882, 245. Second Essex; 1888, 193. Fitchburg; 1889, 97. Franklin; 1896, 353. (See 1882, 245.) Gloucester; 1888, 234. Eastern Hampden; 1889, 130. Western Hampden; 1886, 190. Hampshire; 1883, 75. (See 1882, 227; 1883, 80; 1884, 205.) Haverhill; 1882, 245. Holyoke; 1886, 151. Lawrence; 1893, 479. (See 1888, 110.) Lee; 1894, 373. Lowell; 1893, 479. (See 1886, 307.) Lynn; 1891, 162. (See 1886, 154.) Marlborough; 1892, 93. (See 1882, 233.) Central Middlesex; 1890, 238. First eastern Middlesex; 1893, 479. (See 1882, 245; 1886, 166.) Second eastern Middlesex; 1886, 123. (See 1882, 245.) Third eastern Middlesex; 1882, 233. Fourth eastern Middlesex; 1893, 479. (See 1882, 233.) First northern Middlesex; 1889, 198. First southern Middlesex; 1889, 12. Newburyport; 1882, 245. Newton; 1893, 479. (See 1890, 93.) East Norfolk; 1889, 263. Southern Norfolk; 1891, 273. Third Plymouth; 1894, 321. Fourth Plymouth; 1889, 281. Roxbury; 1889, 217. West Roxbury; 1883, 111. Somerville; 1891, 161. (See 1882, 245; 1887, 180.) Springfield; 1887, 171. Central Worcester; 1888, 50. First eastern Worcester; 1884, 208. Second eastern Worcester; 1889, 158. (See 1882, 245.) First northern Worcester; 1893, 479. (See 1884, 215 § 4.) First southern Worcester; 1890, 131. Second southern Worcester; 1888, 173. Third southern Worcester; 1882, 245.

Salaries of clerks fixed: Central Berkshire; 1893, 479. (See 1882, 245.) Northern Berkshire; 1888, 89. (See 1887, 61.) Southern Berkshire; 1894, 374. (See 1884, 231; 1886, 333 § 4; 1887, 227.) Boston, civil; 1882, 245. First assistant; 1889, 39. Second assistant; 1889, 143. Third assistant; 1892, 58. (See 1889, 170.) Criminal clerk and assistant; 1893, 479. (See 1882, 245; 1885, 137.) East Boston; 1886, 15. (See 1882, 245.) South Boston; 1882, 245. Assistant, 1894, 379. (See 1887, 327.) Brighton; 1894, 363. First Bristol; 1889, 261. Second Bristol; see 1889, 62. Third Bristol; 1893, 479. (See 1889, 41.) Brockton; 1895, 500. (See 1885, 155.) Brookline; 1888, 60. Charlestown; 1887, 175. (See 1889, 206.) Chelsea; 1894, 470. (See 1882, 176; 1884, 197; 1887, 117.) Chicopee; 1891, 78. Dorchester; 1893, 479. (See 1885, 79; 1886, 124.) First Essex; 1882, 245. Fitchburg; 1891, 71. (See 1882, 245; 1889, 289.) Franklin; 1896, 353. Gloucester; 1888, 235. (See 1883, 53.) Eastern Hampden; 1896, 337. Western Hampden; 1893, 479. (See 1886, 190; 1888, 88.) Hampshire; 1893,

479. (See 1883, 80; 1886, 106.) Haverhill; 1888, 55. (See 1882, 245.) Holyoke; 1887, 318. (See 1884, 65.) Lawrence; 1893, 479. (See 1887, 208.) Lowell; 1893, 479. (See 1886, 307.) Assistant; 1889, 152. (See 1882, 63; 1888, 246.) Lynn; 1893, 479. Marlborough; 1892, 93. (See 1882, 233; 1889, 19.) First eastern Middlesex; 1893, 479. (See 1882, 87, 245; 1886, 167.) Assistant; 1894, 65. (See 1889, 317.) Second eastern Middlesex; 1894, 336. (See 1883, 97; 1885, 180; 1888, 233; 1891, 107.) Third eastern Middlesex; 1886, 165. (See 1882, 233; 1893, 370.) Fourth eastern Middlesex; 1893, 479. (See 1882, 233; 1887, 174.) First northern Middlesex; 1888, 214. First southern Middlesex; 1886, 156. Newburyport; 1889, 277. (See 1882, 245.) Newton; 1893, 479. (See 1886, 158.) East Norfolk; 1893, 479. (See 1888, 54.) Southern Norfolk; 1891, 273. First Plymouth; 1883, 57. (See 1885, 155.) Third Plymouth; 1889, 137. Fourth Plymouth; 1891, 190. (See 1884, 204.) Roxbury, clerk; 1893, 479. Assistant; 1889, 239. (See 1882, 245.) Somerville; 1887, 265. (See 1882, 245.) Springfield; 1889, 28. (See 1886, 155.) West Roxbury; 1893, 479. (See 1887, 274; 1889, 92.) Central Worcester; 1889, 83. Assistant; 1893, 479. (See 1882, 245; 1888, 184; 1895, 260.) Second eastern Worcester; 1889, 218. (See 1882, 245.) First northern Worcester; 1885, 286. (See 1884, 215 § 4.)

Compensation of special justices and *pro tempore* clerks regulated. St. 1893, 396 §§ 66, 67; 1894, 142, 173 § 2; 1895; 245. (See 1888, 352.)

Salaries of constables in attendance fixed: Boston, civil; St. 1886, 130. Criminal; 1888, 195. (See 1886, 130; 1895, 457.) Brighton; 1886, 148. Charlestown; 1886, 136. East Boston and South Boston; 1882, 245. Roxbury; 1889, 174. West Roxbury; 1886, 148.

Chapter 155. — Of Justices of the Peace and Trial Justices.

The laws relating to district and police courts are revised and consolidated. St. 1893, 396; 1894, 398.

Women who are appointed special commissioners shall have same powers as justices of the peace in certain cases. St. 1889, 197; 1896, 476. (See 1882, 189; 1883, 252.)

SECT. 3. Justices may summon witnesses in civil cases. St. 1885, 141. (See 1884, 247.)

SECT. 4. Power of justices to issue warrants modified. St. 1884, 286. (See 1884, 191.)

SECT. 10. In Dukes county three trial justices. St. 1892, 408.

SECT. 12 *et seq.* Execution may run into any county. St. 1895, 380.

SECT. 17 *et seq.* No original writ shall be returnable more than sixty days from date. St. 1892, 148; 1893, 396 § 17.

Provision is made for preservation of records, etc., of trial justices. St. 1888, 211.

SECT. 21. In case of failure to attend an adjourned hearing another justice may act in certain cases. St. 1883, 175. (See 1890, 202.)

SECTS. 24–26. Bond required instead of recognizance before removal. St. 1888, 325. These sections shall not apply to actions before district and police courts. St. 1893, 396 § 21.

SECT. 28. Appeal is to be entered at next return day. St. 1885, 384 § 5.

SECT. 29 *et seq.* No bond, recognizance or deposit required in a replevin suit. St. 1890, 224. (See 1882, 95; 1893, 396 § 29.) Nor on an appeal by a county or a municipal corporation. St. 1896, 355.

SECTS. 37, 38. See St. 1890, 202.

SECTS. 40, 41. See St. 1888, 211.

SECT. 42. See St. 1895, 380.

SECT. 43 *et seq.* Jurisdiction of trial justices extended. St. 1885, 149, 356; 1892, 160, 188 § 5; 1893, 172 § 4. (See 1893, 414; 1894, 505.) Payment of interpreters and of witnesses from without the State allowed in criminal cases. St. 1893, 385.

Form of warrants for commitment for non-payment of fines modified. St. 1891, 416.

SECT. 44. See St. 1893, 396 § 46.

SECT. 49. Commitments of children under twelve restricted. St. 1882, 127.

Costs regulated in certain cases. St. 1889, 469. (See 1893, 385.)

SECT. 62. See St. 1894, 505.

SECTS. 63, 65. Appellant must pay the jailer's fees in certain cases. St. 1890, 328.

SECTS. 67 *et seq.*, 74, 75. Provision made for completion of unfinished business before trial justices. St. 1890, 202. (See 1883, 175.)

SECT. 68. Commitments for contempt may be to any jail. St. 1886, 224.

SECTS. 69, 77 *et seq.* Provision made for uniform dockets and blanks except in certain cases. St. 1888, 285. (See 1893, 396 § 59.)

SECT. 76. Bond to be examined annually by controller of county accounts. St. 1893, 257.

SECT. 78 repealed. Payments and accounting regulated. St. 1887, 438; 1890, 204, 215, 216, 440; 1891, 70, 325, 416; 1893, 270, 385. (See 1886, 169; 1888, 275.)

Chapter 156. — Of Probate Courts.

Uniform rules of practice and blanks are provided for. St. 1893, 372. (See 1890, 420 § 2. Res. 1893, 23.)

Form of accounts regulated. St. 1895, 210.

Judges may act for or assist each other. St. 1892, 337; 1894, 377. (See 1896, 316.) An additional judge is provided for in Suffolk. St. 1893, 379. And in Middlesex. St. 1894, 527.

Probate courts may appoint auditors to examine accounts. St. 1889, 311.

Any act or proceeding within the power of the court in the first instance may be confirmed. St. 1888, 420.

The probate of a will, or a determination of intestacy, is made conclusive in certain cases after two years. St. 1889, 435.

Disposition of certain moneys unclaimed or not payable regulated. St. 1885, 376; 1889, 185, 449 § 2; 1890, 408. (See 1893, 379.)

Attorneys may appear in probate proceedings, and process and notices may be served on them as if upon the parties. St. 1890, 420 § 1.

SECT. 2. Jurisdiction extended. St. 1887, 332 § 2; 1891, 415, 425 § 14; 1892, 116; 1894, 164, 536. (See 1891, 358; 1894, 128, 203, 303, 401; 1896, 210, 456.)

SECTS. 5-11. Appeals in certain cases regulated. St. 1887, 332 § 3; 1888, 290; 1890, 261 § 3; 1891, 415 § 3; 1895, 116.

SECTS. 7, 8 amended. St. 1888, 290.

SECTS. 9, 13 amended. The superior court is to act in certain cases. St. 1890, 261. (See 1891, 415.)

SECT. 22. See St. 1890, 420; 1893, 372. Provision for a constable to attend the court in Suffolk. St. 1884, 140; 1894, 66. (See 1887, 156.) And in Middlesex. St. 1895, 246 § 1.

SECTS. 27, 28. Provision for rearranging worn records and dockets. St. 1891, 225.

SECT. 32. See St. 1885, 376; 1889, 185; 1890, 408; 1893, 379.

SECT. 35. Expenses may also be awarded. St. 1884, 131. (See 1884, 291.)

SECT. 44. Limit of expense changed. St. 1893, 422. (See 1884, 118; 1887, 217.)

SECT. 45. See St. 1886, 224.

SECT. 48. Provision made for cases of holidays. St. 1884, 141.

Courts shall always be open for matters in equity, hearings, contempt proceedings and for making orders and decrees in such matters, except on legal holidays. St. 1895, 215.

Changes in sessions: Barnstable; St. 1893, 343. Franklin, 1887, 46. Hampden; 1884, 294. Hampshire; 1886, 145. Middlesex; 1889, 182. Plymouth; 1887, 63; 1889, 269. (See 1889, 237.) Suffolk; 1892, 202. (See 1893, 379.) Worcester; 1893, 348.

Chapter 157. — Of Courts of Insolvency.

Petition may be brought in county where debtor had a usual place of business. St. 1893, 405.

Attorneys may appear and be served with notices and process. St. 1890, 420 § 1.

Jurisdiction in equity given in insolvency cases. St. 1894, 164.

Uniform rules of practice provided for. St. 1893, 372.

Two judges in Suffolk. St. 1893, 379. And in Middlesex. St. 1894, 527.

Composition with creditors provided for and regulated. St. 1884, 236; 1885, 353; 1889, 406; 1890, 387; 1895, 394 § 4. (See 1886, 322; 1888, 405.)

Provision made for special judgments against insolvent debtors whose property is under attachment or brought within the control of the court. St. 1885, 59; 1892, 209. And where bond to dissolve attachment or prosecute review is given, and debtor discharged in composition proceedings. St. 1888, 405; 1895, 234 § 4. Sureties on bond to dissolve attachment of property of an insolvent debtor are released by the discharge of the debtor in insolvency. St. 1889, 470.

Voluntary assignments are authorized and proceedings regulated. St. 1887, 340.

SECT. 3. Courts shall always be open for certain purposes except on legal holidays. St. 1895, 215.

SECT. 5. Commitments for contempt may be made to any jail. St. 1886, 224.

SECT. 15. See St. 1894, 164.

SECT. 16. See St. 1893, 405 § 1.

SECTS. 19, 93. Accidental delay or omission to file schedules not to defeat discharge. St. 1886, 290. Nor failure to keep proper books in certain cases. St. 1894, 496.

SECT. 26. Equitable liabilities may be proved. St. 1884, 293.

SECTS. 36-38. See St. 1889, 420.

SECTS. 36, 91. Appeal is to be entered on next return day. St. 1885, 384 § 5.

SECT. 40. Non-resident assignees must appoint a resident agent. St. 1889, 313; 1893, 118. (See 1890, 420.)

SECT. 46. Voluntary assignments are valid against an assignee in insolvency, subsequently appointed, in certain cases. St. 1887, 340.

A mortgage, if recorded more than four months after its date, is not good against assignee in certain cases. St. 1888, 393.

SECTS. 64-66. Provision made for case of death of assignee after disposal of property and before settlement of accounts. St. 1891, 400.

SECT. 70. Fees of witnesses regulated. St. 1890, 277.

SECT. 84. No claim against a pledgee, created by an unauthorized sale of the collateral security, shall be discharged. St. 1885, 353 § 6. (See 1884, 236 § 9.)

SECT. 93 amended by omitting the clause making the giving of preferences an objection to a discharge. St. 1886, 322. (See 1886, 290; 1894, 496.)

SECT. 96 *et seq.* A pledge or payment of a reasonable sum for legal services may be allowed. St. 1889, 420.

SECT. 99. If the debtor does not apply, the court may make an allowance to his wife or minor children. St. 1888, 67.

SECT. 102. Accounts must be sworn to. St. 1884, 126.

SECT. 103. Provision made for investment of unclaimed dividends. St. 1883, 242.

SECT. 112 is revised. St. 1895, 209. (See 1890, 431; 1893, 405 § 2; 1894, 261.)

SECT. 115 is revised. St. 1894, 139.

SECT. 116 amended. St. 1893, 405 § 3.

SECT. 120 repealed and a substitute passed. St. 1894, 30. (See 1893, 405 § 4.)

SECTS. 127-130, 136. Provision made for insolvency proceedings by and against certain foreign corporations. St. 1890, 321.

SECTS. 137, 138 are repealed and fees established. St. 1895, 394. (See 1885, 353 § 4; 1889, 417; 1892, 359.)

SECT. 139 amended. Provable costs, expenses, etc., limited. St. 1892, 359. (See 1895, 394.)

Chapter 158. — Of Judges and Registers of Probate.

Judges may act for or assist each other. St. 1892, 337; 1894, 377. Two judges in Suffolk. St. 1893, 379. And in Middlesex. St. 1894, 527.

Register's accounts regulated. St. 1894, 183. (See 1887, 438; 1888, 275; 1890, 216, 306; 1893, 270.)

SECT. 8. Registers shall send to the State treasurer copy of inventory of estates subject to a collateral succession tax. St. 1891, 425 § 10.

SECT. 10. Powers of registers enlarged. St. 1894, 199.

SECT. 23. Salaries of judges in all the counties fixed. St. 1893, 469. (See as to Barnstable; St. 1887, 166. Berkshire; 1884, 192. Bristol, 1885, 165; 1889, 211. Dukes; 1885, 318. Essex; 1883, 244; 1888, 112. Middlesex; 1882, 129; 1886, 184; 1889, 251. Nantucket; 1890, 115. Norfolk; 1887, 72. Plymouth; 1886, 183. Suffolk; 1885, 203; 1893, 379. Worcester; 1885, 275.) Subsequent changes: Hampden; 1894, 352. Middlesex, Junior; 1894, 527.

Salaries of registers and assistant registers fixed. St. 1893, 469. (See as to Berkshire; St. 1884, 192. Essex; 1887, 273. Franklin, assistant; 1893, 151. Hampden; 1884, 248. Middlesex; 1887, 259; 1891, 318. Suffolk; 1882, 144; 1891, 91. Worcester; 1888, 152.)

SECTS. 23, 24. Allowance made for clerical assistance: Bristol; St. 1889, 136. Essex; 1886, 114; 1895, 174. Hampden; 1896, 219. Middlesex; 1890, 192; 1893, 344; 1895, 459. Plymouth; 1894, 322. Suffolk; 1885, 205; 1888, 280; 1889, 418; 1892, 230; 1893, 431; 1895, 364. Worcester; 1887, 39; 1889, 209; 1894, 259. And for travelling expenses in certain cases. St. 1896, 316.

SECT. 24 shall not apply to Suffolk. St. 1885, 205 § 2. Or to Franklin. St. 1893, 151 § 2.

Chapter 159.—Of Clerks, Attorneys and Other Officers of Judicial Courts.

SECTS. 2, 5, 31. Clerical assistance provided for. St. 1893, 327; 1894, 136.

SECT. 3. Clerk shall forward to attorney-general copies of exceptions and reports in cases in which he appears for the Commonwealth. St. 1890, 374; 1895, 372.

SECT. 4. Fac-simile of clerk's signature may be used on all processes except executions. St. 1886, 13.

SECT. 5. Clerk must deposit moneys not immediately needed. St. 1890, 215.

SECT. 6. When clerk is absent, county commissioners shall appoint one of their number clerk *pro tempore*, who shall be sworn. St. 1890, 198. In counties where there is no assistant clerk of courts, they may appoint a clerk *pro tem.* who may be a woman. St. 1896, 384.

SECTS. 8, 9, 31. Additional assistants given: Essex; St. 1889, 444. Middlesex; (2d) 1889, 11; (3d) 1896, 218. Suffolk; 1888, 153 (3d); 1889, 50 (4th); 1892, 87 (5th); 1895, 251 (equity); 1895, 393, 480 (6th). (See 1896, 413.) Signatures of assistants regulated. St. 1889, 215; 1895, 251.

SECT. 13. Return of oath required. St. 1894, 228.

SECT. 14. Bonds to be examined annually by controller of county accounts. St. 1893, 257.

SECTS. 27, 28. Accounting for fees, etc., regulated. St. 1887, 291, 438; 1888, 257; 1890, 209, 215, 216; 1891, 87, 236. (See 1890, 360.)

Clerks must deposit public funds beyond what are required for immediate use. St. 1890, 215. Certain unclaimed funds are to be paid to the treasurer of the Commonwealth. St. 1890, 330.

SECTS. 29, 31. Salaries changed: Clerks: Supreme judicial court, Suffolk; St. 1887, 291. Superior court, Barnstable; 1892, 95. Dukes; 1887, 112. Berkshire, Bristol, Essex, Franklin, Hampden, Hampshire, Middlesex, Nantucket, Norfolk, Plymouth, Suffolk and Worcester; 1888, 257. Assistant clerks: Middlesex; (1st and 2d) 1892, 187; (3d) 1896, 218. Suffolk; 1885, 250; 1893, 153, 190. Worcester; 1891, 92. (See 1889, 11; 1890, 201; 1895, 251, 393, 480.)

SECT. 34 *et seq.* Women may be admitted to practise. St. 1882, 139. (See 1883, 252; 1889, 197; 1896, 476.)

The fee for admission to the bar is fixed. St. 1888, 257 § 5.

SECTS. 34, 39. Disbarred attorneys who continue to practise, and persons falsely representing themselves to be attorneys, are subject to a penalty. St. 1891, 418.

SECT. 44. Word "suit" applies to any proceeding before any court. St. 1884, 170.

SECTS. 47, 48. Masters, assessors and referees, and arbitrators under chapter 188, upon whose awards judgment is entered, are to be paid by the county. St. 1883, 216; 1886, 51; 1887, 289.

They are to have no fees unless report is filed within ninety days. St. 1888, 282.

SECT. 51. The fee for a rule to an auditor is fixed at one dollar. St. 1888, 257 § 5.

The probate court may appoint auditors in certain cases. St. 1889, 311.

SECTS. 56-63. Publication of reports regulated. St. 1889, 471. Reporter's salary fixed, and allowance made for clerk hire and incidental expenses. St. 1892, 380. (See 1889, 471 § 4.)

SECT. 64 *et seq.* Number of officers in attendance regulated, their duties defined and compensation fixed, in Suffolk: Supreme judicial court; St. 1882, 232; 1886, 37; 1887, 243; 1890, 294. Superior court; St. 1886, 37; 1888, 357. (See 1882, 245 § 3; 1883, 54.) Middlesex supreme judicial and superior courts. St. 1892, 107; 1895, 246, 369.

And in probate and insolvency courts. St. 1884, 140; 1887, 156, 243; 1895, 246.

Uniforms required in certain cases. St. 1888, 371; 1891, 181; 1892, 107 § 5; 1895, 246 § 3.

SECTS. 72, 75 are revised. Official stenographers provided for in all counties, and their duties and compensation fixed. St. 1885, 291; 1887, 24, 74; 1889, 324; 1892, 133; 1893, 404, 452; 1894, 68, 330, 424; 1896, 459. (See 1895, 153 § 2.)

Chapter 160. — Special Provisions respecting Courts and the Administration of Justice.

SECT. 4. When Christmas falls on Sunday the courts are not open on the following day. St. 1882, 49. The first Monday of September is "Labor's holiday." St. 1887, 263. Fast day abolished and April 19 made a holiday. St. 1894, 130; 1896, 162. (See 1888, 254.)

SECT. 5. See St. 1896, 247.

SECTS. 8-10. The laws as to naturalization are revised; jurisdiction is given to the lower courts. St. 1885, 345; 1886, 45, 203; 1887, 36, 329;

1891, 180, 419; 1892, 348. (See 1884, 298 § 38; 1888, 257 § 4; 1893, 376, 417 § 237.)

SECT. 9 is repealed; primary declarations may be made at any time. St. 1886, 45; 1891, 180.

Chapter 161. — Of the Commencement of Actions and the Service of Process.

The laws relating to district and police courts are revised and consolidated. St. 1893, 396.

Two or more persons may join in suit against same defendant to recover not exceeding twenty dollars due to each for manual labor. St. 1896, 444. SECT. 1 applies to equity suits. St. 1883, 223 § 13

SECTS. 1-12. The supreme judicial and superior courts may change the venue in certain cases. St. 1887, 347.

SECT. 10. The motion may be filed within thirty days after the day for appearance. St. 1885, 384 § 14. (See 1892, 169.)

SECT. 13 *et seq.* All civil actions, at law or in equity (except replevin), in the supreme judicial and superior courts, may be commenced in either form. St. 1887, 383.

Fac-simile of clerk's signature may be used on certain processes. St. 1886, 13. (See 1885, 321.)

SECTS. 23, 27. Terms are abolished and writs are returnable on first Monday of each month. St. 1885, 384. No original writ issued by a trial justice, or district, police or municipal court, shall be returnable more than sixty days from date. St. 1892, 148; 1893, 396 § 17.

SECTS. 32, 34, 36. See St. 1884, 330; 1886, 230; 1889, 393; 1890, 321.

SECTS. 38-60. The right to attach the property of newspaper offices is limited. St. 1890, 377.

SECT. 41 extended to arrest of the person. St. 1896, 247.

SECT. 62. All attachments must be deposited in the registry of deeds. St. 1889, 401. (See 1892, 289.)

SECT. 84. Justices of the supreme judicial or superior court may order clerk to issue process in cases pending in another county. St. 1886, 223; 1896, 413. (See 1885, 384 § 3.)

SECT. 122. A fidelity insurance company may be the only surety. St. 1894, 522 § 61. (See 1884, 296 § 3; 1887, 214 § 61.)

SECT. 122 *et seq.* Bonds must contain a provision for special judgments under St. 1888, 405. (See 1885, 59.) The sureties are released by principal's discharge in insolvency proceedings begun within four months. St. 1889, 470. Office of commissioner of insolvency abolished. St. 1895, 100.

SECT. 127. See St. 1892, 359.

Chapter 162. — Of Arrest, Imprisonment and Discharge.

A person under arrest by a constable on mesne process or execution may be further arrested by a deputy sheriff on a writ or execution which a constable is not authorized to serve. St. 1896, 247.

SECT. 1. Office of commissioner of insolvency abolished. St. 1895, 100.

SECTS. 17, 18, 20, 25, 27, 28, 33, 34, 54 are amended. Poor debtor proceedings are regulated. St. 1888, 419; 1889, 415; 1890, 128; 1891, 271, 313, 407. (See 1887, 442; 1893, 62; 1894, 184; 1895, 308.)

The place of proceedings is fixed. St. 1894, 184.

SECTS. 17, 18. Notice of examination must be given under either of the charges in section 17. St. 1887, 442. Affidavit may be made at any time before the certificate is issued. St. 1891, 407.

SECTS. 32, 34. A debtor shall not suffer default by reason of the absence or disability of the magistrate, if a new notice is issued within three days. St. 1887, 442 §§ 3, 4.

SECT. 36. If recognizance is not satisfactory debtor may be imprisoned. St. 1889, 415 § 4.

SECT. 68. The fees are changed, and the mode of their recovery. They are to be accounted for. St. 1888, 419 § 13; 1889, 415 §§ 6, 7; 1891, 313; 1893, 62.

Chapter 163. — Of Bail.

SECT. 4. Office of commissioner of insolvency abolished. St. 1895, 100.

SECT. 12 is amended. The bail is discharged on paying costs, if the principal dies. St. 1884, 260.

Chapter 164. — Of Proceedings against Absent Defendants, and upon Insufficient Service.

Provision made for service on foreign corporations. St. 1884, 330. (See 1886, 230; 1889, 393; 1890, 321.)

SECT. 6. Notice must be given within one year to a non-resident of attachment of his real estate. St. 1884, 268. (See 1892, 289.) Personal service may be ordered in certain cases. St. 1894, 384.

SECT. 7 amended as to time for appearance. St. 1885, 384 § 8.

Chapter 166. — Of Actions by and against Executors and Administrators.

In actions against estate of a deceased person supported by oral testimony of a promise or statement made by the deceased, evidence of his statements, memoranda, acts and habits tending to disprove the statement is admissible. St. 1896, 445.

Chapter 167. — Of Pleading and Practice.

Court terms are abolished, return days changed and practice regulated. St. 1883, 223; 1884, 304, 316; 1885, 384; 1887, 332, 380, 383; 1890, 154, 374, 398, 451; 1891, 227, 362; 1892, 440; 1893, 61.

Where there are two or more shire towns, the shire town at which an action shall be tried may be designated on entry of the writ. St. 1882, 264.

An act to facilitate collection of small debts for manual work or labor. St. 1896, 444.

All civil actions at law or in equity (except replevin) in supreme judicial or superior court may be begun by bill or petition, or by writ with bill or petition inserted, and relief given as the case requires. St. 1887, 383.

Claimants of funds in defendant's hands may be summoned in and the parties required to interplead. St. 1886, 281. (See 1883, 62; 1888, 345.)

SECTS. 2-10. A form for declaring for recovery of interest is established. St. 1890, 398.

SECT. 8. If copy is not furnished, the action may be discontinued on motion. St. 1894, 405.

SECT. 9 amended. On failure to file a declaration the action may be dismissed on motion. St. 1885, 384 § 6.

SECTS. 9, 11-20, 24-29, 40, 41 and 81 apply to actions in district and police courts. St. 1893, 396 § 23.

SECT. 11. Demurrers in equity regulated. St. 1883, 223 § 10. (See 1887, 383 § 2.)

SECT. 13 *et seq.* Any matter which in equity would entitle the defendant to be absolutely relieved from plaintiff's claim may be alleged. St. 1883, 223 § 14; 1887, 383.

SECT. 43. The superior court retains jurisdiction although the action be changed to equity. St. 1883, 223 § 17; 1887, 383 § 3.

SECTS. 46, 47 are repealed, and new provisions made as to defaults. St. 1885, 384 §§ 7-11.

SECTS. 64, 67 *et seq.* Provision made for postponement, etc., of cases on trial list. St. 1884, 304; 1890, 154. (See 1890, 451.)

The superior court may regulate publication and distribution of trial lists. St. 1896, 401. (See 1889, 459.)

An attorney when actually engaged in the trial of a cause in the supreme judicial or superior court is not obliged to proceed to trial of another cause, unless the court deems it just and reasonable. St. 1890, 451.

SECT. 65. See St. 1893, 396 § 20.

SECT. 69. Time for filing claim for jury trial extended. St. 1894, 357.

SECT. 70. See St. 1882, 239; 1894, 412.

SECT. 77. See St. 1894, 424 § 9.

SECT. 80. Retraction of libel may be proved in mitigation of damages. St. 1895, 441.

SECT. 89. See St. 1893, 396 § 23.

SECT. 90. District court of Hampshire is added. St. 1891, 139.

Police courts may order defendant to answer. St. 1886, 64.

Chapter 168.—Of Set-off and Tender.

SECT. 8 not to apply to proceedings by savings banks against depositors therein. St. 1894, 317 § 32.

Chapter 169.—Of Witnesses and Evidence.

Treatment of witnesses in custody regulated. St. 1894, 160, 270. Compensation allowed for detention in jail. St. 1894, 406. (See 1892, 361.)

SECT. 1 is revised and right to issue summonses extended. St. 1885, 141; 1889, 197. (See 1884, 247.)

SECT. 5. See St. 1886, 224.

SECTS. 7, 8 extended to boards of police commissioners. St. 1882, 267.

Justices of supreme judicial or superior court may compel attendance of witnesses before tribunals having power to summon, but not to compel attendance. St. 1883, 195.

SECT. 18. See St. 1896, 445.

SECTS. 28, 41. Where the adverse party does not appear, no notice of taking deposition or exhibition of interrogatories is required. St. 1883, 188.

SECT. 54 is amended. Notice to non-resident parties is provided for. St. 1882, 140.

SECTS. 69, 70. Attested copies of rules of boards of aldermen, ordinances of cities, by-laws of towns and records of cities and towns are admitted. St. 1889, 387. And sworn copies of records, books and accounts of savings banks. St. 1885, 92. Verified copies from authorized stenographic notes may be received in evidence of testimony previously given in superior court. St. 1894, 424 § 9; 1896, 459 § 7. (See 1895, 153; 1896, 451.)

Chapter 170. — Of Juries.

SECT. 2. Assistant clerks and all regularly appointed court officers are exempted. St. 1896, 427.

SECT. 6. Preparation of list of jurors in Nantucket regulated. St. 1891, 131.

SECT. 7. Publication of lists of jurors provided for. St. 1894, 514 § 3.

SECT. 10. Venires for jurors for the supreme judicial court in Barnstable regulated. St. 1889, 173.

SECT. 17. Drawing jurors in cities regulated. St. 1894, 514.

SECT. 24. Special provisions made for preparation of jury lists in Boston. St. 1888, 123.

SECT. 35. Jurors may be examined by parties or their attorneys, under direction of the court. St. 1887, 149.

SECTS. 36, 37. See St. 1895, 120.

Chapter 171. — Of Judgment and Execution.

Judgments, orders and decrees must bear date of entry. St. 1885, 384 § 13.

No judgment or decree affecting title to real estate shall be valid against third parties without notice, unless recorded. St. 1892, 289. (See 1889, 401.)

SECTS. 1, 17-24. Provision for special judgments against insolvents whose property is attached, or under control of a court of equity on a creditor's bill or otherwise. St. 1885, 59; 1892, 209. And where bond is given to dissolve attachment or prosecute review, and defendant is discharged in composition proceedings. St. 1888, 405. (See 1884, 236; 1886, 353; 1895, 234.)

SECT. 34. Certain funds of charitable and relief societies are exempted. St. 1886, 125 § 2; 1890, 181, 421 § 23. Also military equipments. St. 1893, 367 § 71. (See 1885, 183 § 11; 1887, 214 § 73, 411 § 71.)

SECT. 39. When a sale has been enjoined court may order adjournments until further order. St. 1884, 175.

SECTS. 52, 53. Provision made for record of seizure in cases where the levy is suspended on account of a prior attachment. St. 1887, 407.

SECT. 54. In case of sickness or absence of the officer another may be delegated. St. 1885, 125.

Chapter 172. — Of the Levy of Execution on Real Estate.

SECT. 22. Execution and certificate must be recorded in clerk's office. St. 1895, 437.

SECT. 30. Enjoined sales may be adjourned by the court granting the injunction. St. 1884, 175.

SECTS. 32, 49. Right of redemption extended to lands set off. St. 1886, 86.

SECT. 45. Levy shall be considered as made at the time when the land is taken. St. 1896, 464.

Chapter 173. — Of the Writ of Entry.

The supreme judicial court no longer has original jurisdiction of writs of entry. St. 1892, 169.

SECT. 2. Notwithstanding disseizin or adverse possession a conveyance of real estate otherwise valid vests in the grantee the rights of entry and of action for recovery. St. 1891, 354.

Chapter 175. — Of the Summary Process for the Recovery of Land.

SECT. 1. See St. 1891, 354.

SECT. 2 *et seq.* See St. 1893, 396 §§ 12, 13, 25, 29, 423 § 27.

SECTS. 6, 7, 8. A bond instead of a recognizance is to be given. St. 1888, 325.

Chapter 176. — Of Petitions for the Settlement of Title.

This chapter is repealed and a substitute enacted. St. 1893, 340.

Provision made for barring action on an undischarged mortgage after possession by the mortgagor for twenty years without act of recognition. St. 1882, 237; 1885, 283; 1890, 427 § 1. (See 1889, 442.)

Provision made for determining the validity, nature and extent of conditions, restrictions, reservations, stipulations, etc., more than thirty years old, appearing of record. St. 1889, 442; 1890, 427 § 2. (See 1882, 237; 1885, 283.)

Chapter 178. — Of the Partition of Land.

SECT. 2. Original jurisdiction of petitions for partition taken from supreme judicial court. St. 1892, 169.

SECTS. 2, 9, 75 extended. Land in different counties may be divided in one proceeding. St. 1888, 346. (See St. 1889, 468.)

SECT. 12. See St. 1896, 456.

SECT. 13. The right to remove petitions for partition under this section is taken away. St. 1892, 169 § 2. (See 1885, 384 § 14.)

SECT. 19 *et seq.* The probate court may set off his share to petitioner and allow the residue to remain in common. St. 1885, 293. (See 1887, 286; 1888, 346.)

No petition for partition shall be defeated because a party has paid off an incumbrance which other parties were entitled to redeem, but the decree shall prescribe terms of redemption. St. 1889, 468.

SECT. 51. Words "newspaper or" inserted. St. 1882, 55.

SECTS. 52, 53. See St. 1896, 456.

SECT. 57 repealed. St. 1895, 118.

SECT. 63 amended. St. 1882, 6 § 2.

SECTS. 64-75. Provision made for partitions where there are estates for life or for a term of years, and a remainder-man. St. 1887, 286.

SECT. 65 amended. St. 1894, 104.

SECT. 75. See St. 1888, 346 § 3.

Chapter 180. — Of Actions for Private Nuisances.

Fences and other like structures over six feet in height, maliciously erected or maintained, are declared private nuisances. St. 1887, 348.

Chapter 181. — Of the Redemption and Foreclosure of Mortgages.

SECTS. 3, 9. Original jurisdiction of writs of entry for foreclosure taken from the supreme judicial court. St. 1892, 169.

SECT. 17. The notice may be given in some newspaper in the county if there is none in the town. St. 1882, 75.

SECT. 27. The mortgagee may proceed with a sale already advertised unless the amount due is paid into court or the sale enjoined. St. 1888, 433.

SECT. 42 shall not apply to foreclosures under power of sale mortgages. St. 1896, 203.

Chapter 183. — Of the Trustee Process.

SECT. 1. See St. 1883, 223 § 11.

SECT. 3. Where a trustee is made a party for the purpose of giving jurisdiction in the county where the trustee resides, the parties not residing there, the action may be transferred. St. 1893, 285. (See St. 1893, 396 § 13; 1894, 398.)

SECT. 7 extended to trial justices. St. 1887, 33. As to time of return, see St. 1893, 396 § 17; 1894, 398.

SECT. 10. Appearance and answer must be within ten days from the return day of the writ. St. 1885, 384 § 9.

SECT. 29 *et seq.* The wages or lay of seamen are exempted. St. 1886, 194. But not of fishermen. St. 1890, 289.

SECT. 34. Certain funds of charitable and relief societies are not liable to attachment. St. 1886, 125; 1890, 181, 421 § 23. (See 1885, 183 § 11; 1887, 214 § 73.)

SECT. 38. Provision is made for executions in favor of claimants. The provision as to proceedings under chapter 161, sections 80, 82, 83, is omitted. St. 1888, 345. (See 1883, 62; 1886, 281.)

SECT. 73. In a suit by the defendant against the trustee, pending the trustee process, the costs are in the discretion of the court. St. 1883, 62. (See 1886, 281; 1888, 345.)

Chapter 184.—Of the Replevin of Property.

In case of appeal from the lower courts by the plaintiff, no bond, recognition or deposit is required. St. 1890, 224. (See St. 1893, 396 § 29.)

SECTS. 18, 19. Sureties may be approved by a justice of a police, district or municipal court. St. 1895, 388. (See 1894, 522 § 61.)

Chapter 185.—Of Habeas Corpus and Personal Replevin.

Probate courts are given jurisdiction in cases of alleged restraint of personal liberty. St. 1894, 536.

SECT. 3. Provision for habeas corpus in poor debtor proceedings. St. 1888, 419 § 12.

SECT. 18 is amended. St. 1882, 6 § 3.

Chapter 187.—Of Writs of Error and Writs of and Petitions for Review.

Upon a writ of error or other proceeding to reverse or avoid a conviction, or discharge a prisoner, the fact that the person was under seventeen years of age shall not be deemed material. St. 1892, 266.

SECTS. 16-39 are repealed and revised. St. 1895, 234. (See 1882, 249; 1888, 405 § 3; 1893, 396 § 33.)

Chapter 188.—Of Reference to Arbitration.

The fees of arbitrators under this chapter, upon whose awards judgment is entered, are to be paid by the county. St. 1887, 289. (See 1883, 216; 1886, 51.)

Chapter 189.—Of Improving Meadows and Swamps.

SECT. 15. "Return day" is substituted for "court held." St. 1885, 384 § 5.

Chapter 190.—Of Mills, Dams and Reservoirs.

SECT. 48 is extended to any stream, on certain conditions. St. 1892, 55.

SECT. 53 *et seq.* County commissioners may examine dams and reservoirs upon their own judgment, and proceed as if application had been made to them. St. 1891, 315; 1893, 99.

Chapter 191.—Of Liens on Buildings and Lands.

Provision for speedy trials in superior court, Suffolk. St. 1894, 283, 547.

SECT. 6. Certain inaccuracies not to invalidate the statement if parties were not misled. St. 1892, 191.

SECT. 12 is repealed. St. 1888, 344 § 4.

SECTS. 13, 16, 17 are revised, and new method of procedure prescribed. St. 1888, 344. District and police courts have jurisdiction when the claim does not exceed one thousand dollars. St. 1893, 396 § 12.

SECTS. 42, 43. Any person to whom a debt would be payable for labor or materials, if it were not for a lien, may dissolve such lien by bond. St. 1890, 383. Sureties may be approved by a justice of a police, district or municipal court. St. 1895, 404.

SECT. 45. Creditor's attorney may discharge lien. St. 1891, 244.

Chapter 192. — Of Mortgages, Conditional Sales, Pledges and Liens on Personal Property.

An act to regulate the making of loans upon deposits or pledges of personal property. St. 1895, 497. (See 1894, 416; 1896, 183.)

The provisions of this chapter shall not apply to contracts under St. 1894, 326.

SECTS. 1, 2 are repealed, and new provisions made as to recording. St. 1883, 73.

The discharge of, and redemption of security for, small loans regulated. St. 1888, 388; 1890, 416; 1892, 428. (See 1885, 252; 1895, 497.)

Mortgages of household furniture are regulated in certain cases. St. 1892, 428 § 3.

SECT. 6 not repealed or affected by St. 1892, 428.

SECTS. 7, 10. See St. 1892, 428 § 4.

SECTS. 10-12. Debts or claims against a pledgee, created by an unauthorized sale of the collateral, are not discharged in insolvency. St. 1885, 353 § 6. (See 1884, 236 § 9.)

SECT. 13. Conditional sales of furniture or household effects are regulated. St. 1884, 313; 1892, 411.

SECT. 15. Time for filing statement extended. St. 1896, 404.

SECT. 24. Courts in the county where the petitioner has his usual place of business also have jurisdiction. St. 1888, 46.

SECT. 26 amended to conform to section 24. St. 1893, 173.

SECT. 31. Disposition of unclaimed baggage, etc., regulated. St. 1893, 419; 1894, 181.

Chapter 195. — Of the Collection of Claims against the Commonwealth.

SECT. 1 is extended to all claims, whether at law or in equity, except those mentioned in section 7. They are subject to set-off. St. 1887, 246.

Chapter 196. — Of the Limitations of Real Actions and Rights of Entry.

SECT. 11. Not to apply to certain province lands. St. 1893, 470.

Chapter 197. — Of the Limitation of Personal Actions.

Actions to recover forfeitures for selling liquor to a minor are limited to two years. St. 1889, 390.

Actions by and against assignees in insolvency are limited. St. 1895, 432.

Chapter 198. — Of Costs in Civil Actions.

When two or more cases are tried together in the supreme judicial, superior, or any police, municipal or district court, the costs may be reduced by the presiding judge. St. 1892, 231.

SECT. 25 is revised. Time of hearing appeals changed. St. 1882, 235.

SECTS. 28-31. Term fees are abolished. St. 1888, 257; 1889, 433; 1890, 209; 1891, 87. (See 1882, 264; 1890, 360.)

Chapter 199.—Of the Fees of Certain Officers.

In criminal cases, if the complaint is unfounded, frivolous or malicious, the magistrate may refuse to allow fees to complainant. St. 1890, 440 § 13.

SECT. 2. In police, district and municipal courts no court fees are allowed in criminal cases. St. 1890, 256.

SECTS. 2, 3. The fees of trial justices and mode of approval and certification are established. St. 1890, 353; 1891, 325; 1892, 200 § 3. (See 1890, 440; 1892, 160.)

SECTS. 4, 5. The entry fee covers all clerks' fees, except in certain cases. St. 1888, 257; 1889, 433; 1890, 209; 1891, 87. (See 1890, 360.)

SECT. 6. Fees for summoning witnesses in criminal cases fixed. St. 1882, 215.

SECT. 9 is revised. Certain charges for horse hire are allowed. St. 1885, 254.

SECTS. 14, 39. When two or more cases are tried together the presiding judge may reduce the fees and costs. St. 1892, 231.

SECT. 14. Fees of witnesses in insolvency proceedings regulated. St. 1890, 277.

SECT. 15 repealed. Appraisers' fees regulated. St. 1886, 135.

SECT. 20. Fees are paid to county, and registers and assistants paid by salary. St. 1895, 493. (See 1896, 172.)

SECTS. 23-27 apply to registers of probate and insolvency. St. 1893, 469 § 2.

SECTS. 30, 34 *et seq.* Officers' fees, costs and expenses regulated. St. 1890, 440; 1891, 70, 325, 392; 1892, 200. (See 1889, 469; 1890, 166; 1892, 231.)

SECTS. 32, 39. See St. 1892, 231.

Chapter 200.—Of the Rights of Persons accused.

Police matrons and stations for detention of women are required in certain cities. St. 1887, 234; 1888, 181.

Chapter 202.—Of Offences against the Person.

SECTS. 15, 16. Public boxing matches and private boxing matches for a prize or reward are prohibited. St. 1896, 422.

SECT. 27. Punishment modified and "age of consent" raised. St. 1893, 466. (See 1886, 305; 1888, 391.)

Chapter 203.—Of Offences against Property.

The following are made offences:—

False statements of the distance travelled or to be travelled with a hired horse, or refusal to pay the hire. St. 1882, 236.

Obtaining, by false representations, certificates or transfers of registration, and giving false pedigrees of cattle, horses, etc. St. 1887, 143; 1890, 334.

Entering or driving a horse disguised, or different from the one purported to be entered, to compete for a purse or premium. St. 1892, 167.

False representations to overseers of the poor, etc., for purpose of causing any person to be supported as a pauper. St. 1891, 343.

Selling goods marked silver, sterling silver or coin silver containing less than the required proportion of pure silver. St. 1894, 292.

Injuring property or unlawful diversion of electricity of an electric lighting company. St. 1895, 330. Violation of park regulation. St. 1896, 199.

SECTs. 10, 11 amended. The penalties are modified. St. 1888, 135.

SECT. 16 extended to railroad cars. St. 1896, 389.

SECT. 20. The penalties are changed in certain cases. St. 1889, 458.

SECTs. 20, 37, 40. The embezzlement of property of voluntary associations is made a crime. St. 1884, 174; 1886, 328. (See 1887, 411 § 77.)

And of money, stocks or securities held by brokers under written directions for their disposal. St. 1892, 138. (See 1890, 437 § 3.)

SECT. 21. And the mutilation of a will. St. 1890, 391.

SECT. 43. Penalty for destroying or removing from order boxes orders to carriers for hire. St. 1895, 481.

SECT. 56 is extended to agents, clerks, etc., of persons or firms, and to omissions to make true entries. St. 1885, 223.

SECT. 58. Fraudulent use of certain insignia is made an offence. St. 1887, 67; 1891, 15; 1894, 27, 117.

SECTs. 63, 64 extended to labels, stamps and trade-marks of labor and trade associations. St. 1890, 104. (See 1893, 443; 1894, 285.)

SECT. 79. Wilful detention or mutilation of books, etc., of public or incorporated libraries are offences. St. 1883, 77, 81.

SECT. 95. See St. 1893, 403.

SECT. 99. Provision is made to prevent trespass on private land by persons with fire-arms, the defacing of notices, etc. St. 1884, 308; 1890, 403, 410. (See 1886, 276 § 4.)

And on lands appurtenant to prisons or houses of correction. St. 1885, 303.

SECT. 101. The tearing down, removal or defacing of a warrant, voting or jury list, or other legal notice, is made punishable. St. 1883, 156; 1887, 147; 1888, 436 § 28; 1889, 413 § 28.

SECT. 103. Municipal, district and police courts are given concurrent jurisdiction in certain cases. The penalty is regulated. St. 1887, 293 § 2.

The wilful defacing and misuse of milk cans is made an offence. St. 1885, 133.

SECT. 106. The penalty is increased. One-half the fine is to go to the informant. St. 1889, 399.

SECTs. 107-109. The wilful or negligent setting of fires is made a crime. St. 1882, 163; 1886, 296.

Wilful or wanton destruction of property by a convict is punishable. St. 1891, 295; 1896, 344.

Chapter 205.—Of Offences against Public Justice.

The following are made offences : Procuring fraudulent divorces. Unlawfully issuing certificates of divorce. Advertising, by one not a member of the bar, the business of procuring divorces. St. 1886, 342 ; 1887, 320 ; 1891, 59. Falsely representing one's self to be an attorney-at-law. St. 1891, 418.

Interference with police signal system. St. 1888, 291.

Trespass on lands appurtenant to prisons, disturbance of prisons and illicit communication with prisoners. St. 1885, 303. And illicit conveyance of articles to or from the men's reformatory prison. St. 1887, 339.

Commitments for contempt may be made to any jail and served in any county. St. 1886, 224.

SECT. 1. Penalty modified. St. 1892, 123.

SECTS. 9, 10 are extended. St. 1891, 349 ; 1892, 416.

SECTS. 11, 12 extended to county officers. St. 1893, 271.

Chapter 207.—Of Offences against Chastity, Morality, and Good Order.

Punishments are provided : For keeping or resorting to a place where opium is used. St. 1885, 73 ; 1895, 194. For the exhibition of deformed persons. St. 1884, 99. For unnatural and lascivious acts. St. 1887, 436. For sending to, or detaining in, a house of ill-fame any female as an inmate or servant. St. 1888, 311. For immoral shows or entertainments. St. 1896, 339. Violating a park regulation. St. 1896, 199.

SECT. 2. Further provision made against seduction, unlawful intercourse and assistance thereto. St. 1886, 329 ; 1888, 811.

SECT. 9. The dying declarations of the woman are admissible in evidence. St. 1889, 100.

SECT. 15 is extended and revised. St. 1894, 433 ; 1895, 162. (See 1890, 70.)

The gift, sale or distribution, to or by minors, of papers devoted to criminal news is punishable. St. 1885, 305.

SECTS. 20, 29, 34, 35. Disorderly or indecent speech or behavior in public conveyances is punishable. St. 1883, 102.

SECT. 22 is extended to licensed picnic groves. St. 1887, 445. (See 1885, 309.)

SECT. 23. Wilful disturbance of persons in a public library or reading room is made an offence. St. 1885, 225.

SECTS. 25-28 are repealed, and new provisions made as to proceedings and punishments in cases of drunkenness. St. 1891, 427 ; 1892, 303 ; 1893, 414, 447. (See 1885, 365, 375 ; 1886, 323 § 2 ; 1888, 377 ; 1891, 356 ; 1892, 160, 200.)

SECT. 29. Neglect to support wife or minor children is punishable. St. 1885, 176 ; 1893, 262. (See 1882, 270 ; 1884, 210.)

SECTS. 29, 42. Sentences under these sections regulated. St. 1884, 258 ; 1885, 365 ; 1886, 323 ; 1888, 49 ; 1892, 302. (See 1892, 303.)

SECT. 38 is revised. St. 1896, 385.

SECTS. 49, 50. Removing flowers or memorial tokens from graves, etc., without authority is punishable. St. 1888, 395.

SECTS. 52-54. The docking of horses' tails is forbidden under penalty. St. 1894, 461. (See 1889, 267.)

The payment of fines to informers under these sections is regulated. St. 1889, 267; 1891, 304, 416; 1894, 461.

SECT. 69 is extended. St. 1895, 461. (See 1885, 316; 1893, 436.)

Chapter 208. — Of Offences against Public Health.

Penalties are provided for: Sale or gift of cigarettes, snuff or tobacco to children under sixteen; St. 1886, 72. Feeding, or keeping with intent to feed, garbage, offal, etc., to milch cows and certain food animals; St. 1889, 326; 1895, 385. Sale of clothing made in unhealthy places; St. 1891, 357; 1892, 296; 1893, 246. Manufacture or sale of toys or confectionery containing arsenic; St. 1891, 374. Pollution of water supplies; St. 1884, 172. Neglect, after notice by board of health, to repair private drain in street; St. 1893, 312. Adulteration of food or drugs; St. 1882, 263; 1884, 289; 1886, 171; 1896, 397 § 19. (See 1883, 263.) (As to milk and butter, see 1884, 310; 1885, 352; 1886, 317, 318; 1896, 398.) Making or issuing a false or fraudulent certificate or prescription for sale of intoxicating liquor or medicines. Selling intoxicating liquor or drugs by a registered pharmacist without a license. Adulterating drugs. St. 1896, 397 §§ 16-19. Unlawfully advertising as a physician or surgeon. St. 1894, 458 § 10; 1895, 412. Breach of regulations for bakeries. St. 1896, 418 § 6.

SECTS. 5, 6. The regulations as to sale of poisons are revised. St. 1896, 397. (See 1885, 313; 1887, 38; 1888, 209.)

Chapter 209. — Of Offences against Public Policy.

It is made unlawful to display a flag or emblem of a foreign country on a public building or schoolhouse, except on certain conditions. St. 1895, 115.

Provisions to prevent lotteries and policy lotteries. St. 1892, 409; 1895, 419.

Property shall not be sold or exchanged under the inducement of any gift or prize. St. 1884, 277.

Pretending, in writing, to hold a degree of a college or school, or the approval of a college or professional school of a person, process, treatment or goods, and granting degrees without authority, are made offences. St. 1893, 355. (See 1883, 268.)

Influencing or intimidating voters, and coercing or compelling a person, as a condition of employment, to agree not to join a labor organization are made offences. St. 1894, 508 §§ 3, 5, 58, 78.

SECTS. 11-13. See St. 1892, 167.

Chapter 210. — Of Felonies, Accessories, Abettors and Attempts to commit Crimes.

Sentences are regulated. St. 1885, 365; 1886, 323; 1889, 113; 1891, 200; 1895, 218, 469, 504. (See 1887, 435; 1890, 316.)

Chapter 211.—Of Proceedings to prevent the Commission of Crime.

The court may revoke an order requiring recognizance or reduce the amount. St. 1896, 388.

SECTS. 4, 5 amended. Magistrate may impose sentence in case of conviction. St. 1894, 505.

SECT. 6 extended to all criminal cases. St. 1890, 440 § 13.

SECTS. 13, 16, 17. See St. 1893, 396 § 41.

Chapter 212.—Of Search Warrants, Rewards, Arrests, Examination, Bail and Probation.

Police matrons are provided for in certain cities. St. 1887, 234 ; 1888, 181.

Male and female prisoners shall not be carried to or from court together in certain cities. St. 1894, 273.

Provisions in regard to arrest of children under twelve. St. 1882, 127.

SECT. 2. Tickets and other materials for pool selling are added. St. 1885, 342 § 2. Also personal property, insured against fire, concealed to defraud an insurance company. St. 1890, 284. (See 1890, 452.)

Property seized under St. 1890, 284, shall be disposed of as the court orders. St. 1890, 452.

SECTS. 5–10 apply to property seized in pool rooms, gaming houses and opium joints. St. 1894, 410 ; 1895, 194. (See 1885, 73, 342 § 2 ; 1887, 448 § 2 ; 1895, 419.)

SECT. 9 is extended to gaming apparatus and certain other articles. St. 1885, 66.

SECT. 15. If magistrate deems complaint unfounded, frivolous or malicious, he may refuse fees to complainant. St. 1890, 440 § 13.

SECT. 16. A summons shall issue instead of a warrant “unless there is reason to believe that the accused will not appear upon a summons.” St. 1890, 225.

SECTS. 17, 20. Warrants and other criminal process may be directed to and served by officers in any county. St. 1886, 247. (See 1895, 380.)

SECT. 26. On adjourning a trial or examination where the offence is punishable with death or imprisonment for life, material witnesses for the government may be bound over according to sections 37–41 of this chapter. St. 1885, 136.

Another justice may complete adjourned proceedings. St. 1883, 175.

SECTS. 36–40. Provision for detention of witnesses in cases of felony, pending pursuit and apprehension of offender. St. 1892, 361. (See St. 1893, 396 § 48.) Provision made for treatment of witnesses in custody. St. 1894, 160, 270. And for their compensation. 1894, 406.

SECTS. 37–41. See St. 1885, 136 § 2.

SECT. 51. The latter clause of this section, forbidding justices to receive compensation for taking bail, is repealed. St. 1885, 135.

SECT. 68. Money may be deposited with any officer authorized to take recognizance. St. 1882, 134.

SECTS. 74–78 repealed, and new provisions made as to probation officers. St. 1891, 356, 427 ; 1892, 242, 276 ; 1894, 229, 368, 372. (See 1882, 125 ; 1892, 303.)

SECT. 81 amended. St. 1886, 101 § 4.

Chapter 213. — Of Indictments, Prosecutions and Proceedings before Trial.

SECT. 15. See St. 1887, 367; 1895, 390.

SECT. 16 *et seq.* See St. 1886, 328 § 2; 1887, 436.

SECT. 17 repealed and a substitute passed. St. 1886, 53. (See 1885, 144.)

SECTS. 15, 30. The support of such insane persons is to be paid by the State. St. 1883, 148; 1889, 90. (See 1894, 214 § 3.)

SECT. 28 *et seq.* The superior court has exclusive original jurisdiction in capital cases. St. 1891, 379. (See 1893, 324, 365, 394.)

SECTS. 29, 30 repealed. St. 1891, 379 § 14.

SECTS. 33-35. Police officers may serve subpoenas when requested by district attorney. St. 1890, 440 § 6.

SECT. 35. In cases of felony, witnesses committed may be held a reasonable time pending pursuit and apprehension of the offender. St. 1892, 361. (See 1894, 406.)

SECT. 38 not affected by St. 1891, 379 § 4. St. 1893, 365.

Chapter 214. — Of Trials and Proceedings before Judgment.

SECT. 1. Order of trials in criminal cases regulated. St. 1884, 193; 1889, 432.

SECT. 5, 6. When two or more persons are tried together the Commonwealth may challenge as many as the defendants. St. 1895, 120.

SECT. 16. See St. 1887, 367.

SECTS. 16, 19, 20. The support of such insane person is to be paid by the State. St. 1883, 148; 1889, 90. (See St. 1895, 390.)

SECT. 21 amended. St. 1895, 390 § 7.

Chapter 215. — Of Judgment and Execution.

Sentence shall be imposed notwithstanding exceptions or appeal. St. 1895, 469.

Provision made for the ascertainment and punishment of habitual criminals. St. 1887, 435. And for registration and identification of certain criminals. St. 1890, 316.

Warrants for commitment for non-payment of fines regulated. St. 1891, 416 § 2.

Sentences to State prison regulated. St. 1895, 504.

And to Suffolk county reformatory. St. 1896, 536.

Commitment may be made at same time on several sentences. St. 1884, 265.

Convicts may be sent to jail, house of correction, or Suffolk reformatory, and may be transferred from one to the other. St. 1882, 241; 1895, 224; 1896, 521, 536 § 7.

Prisoners in State institutions shall not be employed outside the precincts of such institution in any mechanical or skilled labor for private parties. St. 1891, 209.

SECTS. 2, 5. Taxing costs against defendants in criminal cases is restricted and payment of expenses regulated. St. 1890, 440; 1891, 325.

Expense of serving warrant of commitment shall be deemed part of expense of prosecution. St. 1890, 328.

SECT. 8. Not to apply to sales of intoxicating liquor by unregistered pharmacists in name of one who is registered. St. 1893, 472.

SECT. 15. Sentences of women regulated. St. 1889, 113; 1895, 218. (See 1887, 426; 1896, 304.)

SECT. 18 is revised. St. 1882, 127.

SECT. 22. A prisoner in the Massachusetts reformatory may be sent to State prison or house of correction on conviction of an offence punishable by imprisonment therein. St. 1891, 200. (See 1895, 273.)

Chapter 216. — Of Fire Inquests.

This chapter is repealed, and the laws as to fire inquests revised. St. 1894, 444. (See 1886, 296; 1887, 214; 1888, 199; 1889, 451; 1891, 229; 1895, 452, 499.)

Chapter 217. — Of Fines, Forfeitures and Costs.

Expense of serving warrant of commitment shall be deemed a part of expense of prosecution. St. 1890, 328.

SECT. 6. See St. 1890, 353.

SECTS. 8, 9. Taxation, certification and payment of costs and fines regulated. St. 1890, 218, 440; 1891, 236, 392, 416. (See 1889, 469.)

SECT. 13 repealed. St. 1890, 218 § 3.

SECT. 15 is repealed, and method of accounting for moneys received under section 14 established. St. 1891, 416.

Chapter 218. — Of Fugitives from Justice and Pardons.

SECT. 6 repealed. Payment of expenses of requisitions regulated. St. 1886, 267.

SECT. 14. Sentences after breach of condition of a pardon regulated. St. 1882, 197.

Chapter 219. — Of the Commissioners of Prisons.

The commissioners shall make reports to the governor at least once in six months. St. 1893, 428. Shall make special rules for treatment of witnesses held in custody. St. 1894, 270. (See 1894, 160.)

They may provide for surgical treatment of prisoners. St. 1882, 207. They shall provide for exercise for unemployed prisoners. St. 1895, 146. And for medical supervision of prisoners in solitary cells in county prisons. St. 1895, 195. And for teaching certain prisoners to read and write. St. 1895, 259.

Powers and duties of commissioners in regard to the reformatory prescribed. St. 1884, 255, 331; 1894, 249. As to release on parole of prisoners in State prison. St. 1894, 440; 1895, 252, 504.

The governor may remove commissioners at pleasure. St. 1893, 453.

Registration and measurement of certain convicts provided for. St. 1890, 316. (See 1892, 313.)

The authorities of State of Vermont are granted permission to detain in and transport through this State convicts sentenced in Vermont. St. 1892, 423.

SECT. 3. Secretary's salary fixed. St. 1886, 225. (See 1884, 331 § 4.)

SECT. 4. Removal and transfer of prisoners regulated. St. 1882, 207, 241; 1885, 35, 320; 1887, 292, 375; 1888, 192; 1890, 180, 278; 1894, 249; 1895, 273. (See 1896, 317, 521.)

State prison convicts may be graded and classified. St. 1892, 267. (See 1891, 372.)

SECT. 6. Vagrants and tramps may be removed to the State farm. St. 1885, 35 § 1. (See 1887, 264; 1896, 385.)

SECT. 14 *et seq.* Labor in prisons and employment of prisoners regulated. St. 1883, 217; 1885, 94; 1887, 447; 1888, 22, 189, 403; 1891, 209, 228, 371; 1894, 451, 460; 1895, 259. (See 1895, 146.)

SECTS. 17, 18 repealed. St. 1888, 403 § 6.

SECT. 24. Sentence may be to reformatory prison for women. St. 1894, 260.

SECTS. 26-30. Provision for aid for female prisoners discharged without sentence. St. 1886, 177.

Further provisions for aiding discharged prisoners. St. 1887, 315, 336, 395; 1888, 322, 417; 1895, 383.

Additional agents authorized. St. 1887, 315. Salary of agent provided for. St. 1888, 330.

SECT. 32. See St. 1889, 245; 1895, 449.

SECTS. 34, 35 *et seq.* Reports and returns are regulated. St. 1882, 226; 1891, 187; 1892, 290 § 2.

SECT. 36 repealed. St. 1882, 226 § 3.

SECT. 39. Allowance made for clerical assistance. St. 1888, 328; 1895, 431. (See 1885, 52.)

Chapter 220.—Of Jails and Houses of Correction.

An act relative to the Suffolk county reformatory, house of correction and Boston house of industry. St. 1896, 536.

Police matrons and stations for the detention of women are required in certain cities. St. 1887, 234; 1888, 181.

Carrying male and female prisoners together to and from court is forbidden in certain cities. St. 1894, 273.

A general superintendent of prisons is provided for. St. 1887, 447 § 6; 1895, 322. (See 1888, 403 § 8.)

Provision for teaching certain illiterate prisoners to read and write. St. 1895, 259.

SECT. 2. The sheriff may transfer prisoners between jails and houses of correction. St. 1882, 241. (See 1890, 278; 1896, 521.)

SECT. 11 *et seq.* An institution commissioner substituted for directors for public institutions of Boston. St. 1895, 449 § 14. (See 1885, 266; 1889, 245; 1896, 521, 536.)

SECTS. 13, 14. Contract labor is forbidden in certain prisons. St. 1887, 447; 1888, 22. (See 1888, 403; 1894, 451.) And employment of prisoners for private parties outside of prison precincts. St. 1891, 209.

SECT. 19. See St. 1891, 426.

SECT. 23. See St. 1894, 349.

SECT. 36. The requirement of whitewashing is stricken out. St. 1886, 226.

SECT. 40 *et seq.* Labor in prisons and employment of prisoners are regulated. St. 1883, 217; 1885, 94; 1887, 447; 1888, 22, 189, 403; 1891, 209, 228, 371; 1894, 451, 460. (See 1895, 146.)

SECT. 46. Provision made for teaching illiterate prisoners. St. 1895, 259.

SECT. 49. Clerical error corrected. St. 1882, 6 § 4.

SECT. 50. Escapes of prisoners employed outside are punishable. St. 1882, 198. (See 1885, 94.)

SECT. 53 *et seq.* Invoice books of supplies must be kept. St. 1890, 296. (See 1889, 294.)

SECTS. 54, 55. The purchase of tools, materials, machinery, etc., and sale of manufactured goods provided for and regulated. St. 1887, 447; 1888, 403 § 3; 1891, 228. (See 1891, 371.)

Funds not required for immediate use must be deposited. St. 1890, 215.

Payment of funds regulated. St. 1893, 270.

SECT. 60 *et seq.* See St. 1882, 113.

SECTS. 66, 68. Further provisions made as to release of prisoners on probation. St. 1884, 152, 255 §§ 33, 34. (See 1894, 440; 1895, 252, 504.)

SECT. 69 applies to St. 1891, 356.

Chapter 221. — Of the State Prison and the Reformatory Prison for Women.

A general superintendent of prisons is provided for. St. 1887, 447 § 6.

The prison at Concord is made a reformatory prison for men, and the State prison is re-established at Boston. St. 1884, 255, 331. (See 1891, 215, 372, § 2; 1893, 441. Res. 1890, 55.)

Sentences to State prison regulated. St. 1895, 504.

Permits to be at liberty authorized and regulated. St. 1884, 255 §§ 33, 34; 1887, 435 §§ 2, 3; 1894, 440; 1895, 252, 504.

The list of officers of the State prison is revised and compensation fixed. St. 1889, 412; 1893, 455, 456; 1894, 370, 477. (See 1882, 203; 1884, 95; 1887, 355; 1888, 264; 1894, 349.)

And of the officers of the reformatory prison for men. St. 1890, 255; 1893, 333. (See 1888, 335; 1889, 408; 1890, 267; 1894, 349.)

And of the reformatory prison for women. St. 1883, 267; 1884, 43; 1887, 341; 1888, 327.

Sentences to the men's reformatory are regulated. St. 1885, 365; 1886, 323; 1888, 49; 1891, 427 § 5; 1892, 302, 303; 1893, 447. (See 1884, 255 §§ 8-11, 33-35; 1885, 35, 320, 356; 1891, 200.)

Sentences of prisoners in the reformatory, convicted of offences punishable by imprisonment in the State prison or house of correction, are regulated. St. 1891, 200. (See 1892, 302.)

The description and measurement of convicts by the "Bertillon" system are provided for. St. 1890, 316.

Removals and transfers of prisoners regulated. St. 1882, 207, 241; 1885, 35, 320; 1887, 292, 375; 1888, 192; 1890, 180, 278; 1891, 200; 1894, 214, 249; 1895, 273. (See 1884, 255; 1894, 273.)

Labor in prisons and employment of prisoners regulated. St. 1883, 217; 1885, 94; 1887, 447; 1888, 22, 189, 403; 1891, 209, 228, 371; 1894, 451, 460.

The purchase of machinery, tools and materials and sale of manufactured goods are regulated. St. 1887, 447 §§ 3, 4; 1888, 403 § 3; 1891, 228.

Convicts may be punished for wilful or wanton destruction of property. St. 1891, 295; 1896, 344.

The illicit conveyance of articles to or from the men's reformatory is made punishable. St. 1887, 339. And trespass on prison lands and disturbance of prisons and illicit communication with prisoners. St. 1885, 303.

Provision for removal of persons and property unlawfully on prison premises. St. 1895, 141.

SECTS. 6, 7 repealed. St. 1882, 203 § 4.

SECT. 6 *et seq.* The removal of subordinate officers is regulated. St. 1887, 355; 1890, 267. (See 1888, 264; 1889, 412.) Subordinates must give bond and be sworn. St. 1893, 426. May be transferred to service as watchmen. St. 1894, 349.

SECT. 8 amended. St. 1887, 355.

SECT. 23 to govern inspector of industries when serving as warden. St. 1894, 477.

SECT. 25 *et seq.* Provision made for grading and classifying prisoners in the State prison. St. 1892, 267. (See 1891, 372.)

SECT. 27 amended. Words "or printing" stricken out. St. 1888, 189.

SECT. 30. Schools for the prisoners provided for. St. 1886, 197. (See 1895, 259.)

SECT. 43 *et seq.* Female convicts of the United States courts are to be sent to the reformatory for women. St. 1887, 426; 1896, 304. (See 1894, 260; 1895, 218, 273.) Additional land taken for reformatory. St. 1885, 287, 1889, 463; 1894, 407. (See 1895, 141.)

Prisoners may be employed on land or in building appurtenant to reformatory. St. 1885, 94.

Transfers and removals of female prisoners regulated. St. 1888, 192; 1896, 317. (See 1894, 273; 1895, 273.)

Escapes and attempts to escape are made punishable. St. 1885, 94. (See 1882, 198.)

A burial place is provided for. St. 1882, 213.

A sewerage system is provided for. St. 1887, 403; 1892, 211.

SECT. 44. See St. 1883, 267; 1884, 43.

SECT. 52. Further provisions made as to permits. St. 1884, 152; 1888, 192, 317. (See 1887, 435 § 2.)

SECTS. 54, 55. Method of approval of bills and contracts changed. St. 1888, 403 § 7; 1889, 294. (See 1883, 267; 1884, 255 §§ 28, 30; 1887, 447; 1888, 22, 337.)

Chapter 222.—Special Provisions concerning Penal and Other Public Institutions.

Masters of jails having public funds must deposit all not required for immediate use. St. 1890, 215.

Payment of funds regulated. St. 1893, 270.

No prisoner in any State institution shall be employed outside in mechanical or skilled labor for private parties. St. 1891, 209.

Prisoners or inmates of institutions suffering from syphilis shall have medical treatment and may be isolated. St. 1891, 420.

Surgical treatment and medical treatment provided for in certain cases. St. 1882, 207; 1895, 195. And exercise for unemployed prisoners. St. 1895, 146. And teaching certain illiterate prisoners to read and write. St. 1895, 259.

Convicts may be punished for wilful destruction of property. St. 1891, 295; 1896, 344.

SECT. 3. See St. 1895, 195.

SECT. 10. Further provisions concerning removal of insane prisoners in the reformatory for men. St. 1885, 320; 1895, 390.

SECTS. 10, 11, 25. See St. 1886, 101 § 4.

SECTS. 10, 12, 14. See St. 1886, 219; 1887, 367; 1895, 390.

SECT. 17. A trial justice may act, if there is no police or district court in the county. St. 1882, 201.

SECT. 20 does not apply to persons sentenced to the reformatory. St. 1886, 323 § 7. Provision for special deductions at State farm. St. 1894, 258. (See 1887, 264.)

SECTS. 20, 21. Form of sentences to State prison modified. St. 1895, 504. Releases on probation are further regulated. St. 1884, 152, 255 §§ 33, 34; 1887, 435 § 2; 1888, 317; 1894, 440; 1895, 252.

SECT. 25. See St. 1891, 420 § 2.

Glossary.

The relations of avoirdupois and troy pounds are fixed. St. 1894, 198 § 1.

II.

CHANGES IN THE GENERAL STATUTES

PASSED SINCE THE ENACTMENT OF THE
"PUBLIC STATUTES."

[The changes are more fully stated in Table I., under the appropriate chapter of the Public Statutes.]

Statutes of 1882.

Chap.

- 28 Repealed, 1890, 423 § 228. (See 1885, 108; 1893, 417 § 193.)
P. S. 7.
- 29 Repealed, 1886, 66. (See 1891, 24.) P. S. 5.
- 36 Amended, 1888, 114. (See 1894, 389, 422.) P. S. 52.
- 41 § 2 superseded, 1887, 163 § 2. P. S. 154.
- 43 Affected, 1885, 132. P. S. 154.
- 49 Amended, 1894, 130. See 1896, 162. P. S. 2, 77, 160.
- 50 Repealed, 1894, 317. P. S. 116.
- 63 Superseded, 1886, 307. P. S. 154.
- 65 Repealed, 1885, 247. P. S. 91.
- 74 Repealed, 1884, 299 § 44. (See 1890, 423; 1893, 417 § 176.) P. S. 7.
- 76 Superseded, 1888, 363. (See 1887, 228; 1889, 446.) P. S. 11.
- 77 Repealed, 1894, 317. (See 1883, 258 § 2; 1884, 72; 1886, 300;
1887, 214 § 95.) P. S. 116.
- 87 Superseded, 1886, 167. P. S. 154.
- 94 Superseded, 1882, 225. (See 1894, 469.) P. S. 112.
- 95 See 1893, 396 §§ 25-29. P. S. 154.
- 97 Superseded, 1887, 411 § 23. (See 1893, 367 § 23.) P. S. 14.
- 102 Amended, 1884, 245. P. S. 91.
- 103 Affected, 1883, 109 § 1. P. S. 19.
- 106 Amended, 1883, 74. Affected, 1884, 330 § 3; 1886, 230; 1891,
341; 1894, 381, 541; 1895, 157, 311. P. S. 18, 105.
- 108 § 1 amended, 1888, 313. P. S. 53.
- 111 Repealed, 1886, 38. P. S. 16.
- 112 Affected, 1894, 67. P. S. 16.
- 125 Repealed, 1891, 356. (See 1891, 427; 1892, 242, 276, 303.) P. S.
112.
- 127 § 2 amended, 1886, 101 § 4. P. S. 89.

Statutes of 1882—Continued.

- Chap.
- 129 Superseded, 1893, 469. (See 1886, 184; 1889, 251.) P. S. 158.
- 135 Shall not apply to provisions of 1890, 428. See 1885, 194. P. S. 112.
- 139 Extended, 1883, 252; 1889, 197; 1896, 476. P. S. 18, 159.
- 144 Superseded, 1893, 469. P. S. 158.
- 146 Affected, 1886, 15. P. S. 154.
- 148 Repealed, 1894, 317. (See 1886, 252; 1889, 77, 321; 1892, 248.) P. S. 116.
- 150 Repealed, 1894, 508. P. S. 74.
- 154 § 1 amended, 1890, 240. § 7 extended, 1895, 450 § 4. Affected, 1884, 226; 1893, 300, 407, 416 § 11; 1896, 199. (See 1887, 411 §§ 90, 108; 1893, 367 §§ 90, 108.) P. S. 27, 28.
- 157 Affected, 1888, 289. P. S. 17.
- 158 Superseded, 1889, 440 § 10; 1891, 293. P. S. 4.
- 163 Affected, 1886, 296 § 3. P. S. 35, 203.
- 165 Amended, 1887, 125. P. S. 11.
- 166 § 1 amended, 1884, 317. (See 1893, 201; 1895, 88.) P. S. 91.
- 176 In part repealed, 1884, 197; 1887, 117; 1894, 470. P. S. 154.
- 178 Superseded, 1887, 411 § 127. (See 1893, 367 § 127.) P. S. 14.
- 179 Superseded, 1887, 411 § 124. (See 1893, 367 § 124. Res. 1890, 67.) P. S. 14.
- 181 § 3 amended, 1886, 330; 1888, 248. §§ 1, 2, 3 amended, 1886, 101 § 4. Affected, 1883, 232; 1893, 217, 252; 1896, 382. P. S. 48, 86.
- 182 Superseded, 1896, 380. P. S. 28.
- 195 § 1 repealed, 1888, 449 § 21. (See 1894, 367, 522.) P. S. 119.
- 196 Repealed, 1888, 24. P. S. 5.
- 199 Affected, 1886, 276 § 11. P. S. 92.
- 200 Repealed, 1894, 317. (See 1886, 77.) P. S. 116.
- 203 Repealed, 1888, 264 § 3; 1889, 412. (See 1884, 95; 1887, 355.) P. S. 221.
- 205 Repealed, 1888, 274 § 3. (See 1892, 104, 328.) P. S. 152.
- 208 Repealed, 1894, 481. (See 1883, 173; 1892, 419 § 138.) P. S. 104.
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- 219 Affected, 1884, 122. P. S. 45.
- 220 Limited, 1894, 129. P. S. 100.
- 223 Amended, 1893, 194, 280. P. S. 146.
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- 225 Extended, 1894, 469. P. S. 112.
- 226 § 2 affected, 1892, 290. P. S. 219.
- 227 § 3 amended, 1883, 75; 1889, 122. P. S. 154.
- 231 Repealed, 1887, 423. (See 1885, 124; 1888, 90 § 2; 1890, 369.) P. S. 116.
- 232 § 1 amended, 1886, 37 § 2; 1890, 294. P. S. 159.
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- 242 Affected, 1885, 90. P. S. 100.
- 243 Repealed, 1888, 390 § 95. P. S. 12.
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- 247 Repealed, 1884, 298 § 53. (See 1890, 423; 1893, 417.) P. S. 6.
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- 250 Repealed, 1885, 122. (See 1894, 399.) P. S. 102.
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- 258 See 1894, 180. P. S. 102.
- 259 See 1894, 388; 1896, 169. P. S. 100.
- 260 Repealed, 1890, 423 § 228. (See 1893, 417.) P. S. 7.
- 263 Amended, 1883, 263 § 1; 1884, 289; 1886, 171. Affected, 1885, 352 § 5; 1886, 317, 318; 1891, 319; 1896, 397. § 5 amended, 1886, 101 § 4. P. S. 208.
- 264 Affected, 1888, 257; 1889, 443. P. S. 168.
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- 266 Repealed, 1894, 481. (See 1887, 218, 276; 1888, 426.) P. S. 104.
- 268 Repealed, 1884, 298 § 53. (See 1890, 423 § 228; 1893, 417.) P. S. 6.
- 270 § 3 amended, 1886, 101 § 4. In part repealed, 1892, 318 § 16. § 4 amended, 1884, 210; 1885, 176; 1893, 262. (See 1889, 309, 416; 1891, 194.) P. S. 48.
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- 78 Affected, 1885, 339 § 3; 1886, 319 § 2. P. S. 87.
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- 142 Affected, 1889, 299. (See 1890, 264 § 3.) P. S. 82.
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- 251 Repealed so far as it relates to Boston, 1892, 419 § 138. Affected, 1884, 223; 1888, 86; 1894, 481. § 2 repealed, 1888, 426 § 14. (See 1894, 414.) P. S. 104.
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- 262 Repealed, 1890, 423 § 228. (See 1892, 224 § 4.) P. S. 7.

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 365 Repealed, 1891, 179 § 5. (See 1895, 186.) P. S. 28.
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 374 Amended, 1895, 372. P. S. 159.
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 380 See 1893, 270. P. S. 23.
 381 Repealed, 1893, 417. P. S. 7.
 382 Affected, 1892, 228. P. S. 112.
 383 Affected, 1895, 404. P. S. 191.
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- 33 Affected, 1891, 262; 1895, 103. (See 1892, 312; 1893, 283.) P. S. 112.
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- 74 Repealed, 1893, 417. P. S. 7.
- 76 Repealed, 1894, 393. P. S. 4.
- 79 Superseded, 1893, 288. P. S. 22.
- 80 Superseded, 1892, 399. P. S. 22.
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- 116 Extended, 1893, 149. P. S. 11.
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- 125 Repealed, 1892, 410. P. S. 74.
- 138 Affected, 1895, 277. P. S. 91.
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- 265 See 1894, 126. P. S. 38.
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- 270 Repealed, 1893, 417. (See 1892, 406.) P. S. 7.
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- 278 Repealed, 1893, 417. P. S. 7.
- 286 Repealed, 1892, 351 §§ 4, 6, 48. (See 1893, 417.) P. S. 6.
- 288 See 1892, 109, 168, 370. P. S. 12.
- 289 Superseded, 1894, 522 § 38. P. S. 119.
- 290 Repealed, 1892, 351 § 48. (See 1893, 417.) P. S. 6.
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- 305 Repealed, 1893, 417. P. S. 7.
- 314 Repealed, 1893, 417. P. S. 7.
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- 365 Affected, 1892, 424. (See 1893, 481; 1894, 548; 1895, 450; 1896, 516.) P. S. 113.
- 366 Repealed, 1895, 378. P. S. 113.
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- 51 Repealed, 1893, 417. P. S. 27.
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- 312 See 1893, 283; 1894, 216; 1895, 103. P. S. 112.
- 314 Affected, 1894, 206. P. S. 32.
- 316 Repealed, 1893, 417. P. S. 7.
- 318 Affected, 1895, 310 § 2. P. S. 102.
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- 357 Repealed, 1894, 508. P. S. 74.
- 359 See 1895, 394. P. S. 157.
- 361 See 1894, 406. P. S. 212.
- 366 Affected, 1893, 367 § 29; 1894, 312; 1896, 182. P. S. 14.
- 368 Repealed, 1893, 417. P. S. 7.
- 372 Superseded, 1894, 522 § 73. (See 1893, 434; 1894, 120, 225.) P. S. 119.
- 374 Affected, 1893, 424. P. S. 112.
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- 402 Affected, 1895, 297, 494; 1896, 237, 359. § 3 amended, 1894, 256. § 6 amended, 1894, 227. P. S. 50.
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 231 Superseded, 1893, 367 § 13. P. S. 14.
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 254 Repealed, 1894, 317. P. S. 116.
 270 See 1894, 183; 1895, 143. P. S. 23.
 274 See 1894, 452. P. S. 109.
 283 Affected, 1893, 424; 1894, 545; 1895, 103; 1896, 439. Amended, 1894, 545. P. S. 112.
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 304 Repealed, 1893, 417. P. S. 27.
 306 Repealed, 1894, 491. (See 1895, 496.) P. S. 58, 90.
 307 Repealed, 1893, 417. P. S. 7.
 308 Repealed, 1893, 417. P. S. 7.
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Commonwealth of Massachusetts.

OFFICE OF THE SECRETARY, BOSTON, August 8, 1896.

I certify that the acts and resolves contained in this volume are true copies of the originals, and that the accompanying papers are transcripts of official records and returns.

I further certify that the tables showing what general statutes have been affected by subsequent legislation have been prepared, and are printed as an appendix to this edition of the laws, by direction of the governor, in accordance with the provisions of Chapter 238 of the Acts of 1882.

WILLIAM M. OLIN,

Secretary of the Commonwealth.

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